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HANSARD'S

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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

42° VICTORIÆ, 1879.

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TO

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Third Volume of the Session.

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"That this House, while willing to support Her Majesty's Government in all necessary measures for defending the possessions of Her Majesty in South Africa, regrets that the ultimatum which was calculated to produce immediate war should have been presented to the Zulu King without authority from the responsible advisers of the Crown, and that an offensive war should have been commenced without imperative and pressing necessity or adequate preparation; and this House further regrets that after the censure passed upon the High Commissioner by Her Majesty's Government in the Despatch of the 19th day of March 1879, the conduct of affairs in South Africa should be retained in his hands,"—(*Sir Charles W. Dilke.*)

And which Amendment was,

At the end of the Question, to add the words "and that a war of invasion was undertaken with insufficient forces, notwithstanding the full information in the possession of Her Majesty's Government of the strength of the Zulu Army, and the warnings which they had received from Sir Bartle Frere and Lord Chelmsford that hostilities were unavoidable,"—(*Colonel Mure.*)

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		£	s.	d.
Cocoa or Chocolate, ground, prepared, or in any way manufactured	the lb.	0	0	2"

Resolution *agreed to*.

(3.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 4th day of April 1879, on Tobacco Manufactured, viz. Segars imported into the United Kingdom of Great Britain and Ireland, in lieu of the Duties now payable thereon (that is to say):—

		£	s.	d.
Tobacco Manufactured, viz.:—				
Segars	the lb.	0	5	6"

After short debate, Resolution *agreed to*.

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East India—(Duties on Cotton Goods)—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty,"—(*Mr. Briggs,*)—instead thereof 375

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 24, Noes 255; Majority 231.—(Div. List, No. 58.)

Question proposed,

"That the words 'the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty' be added," instead thereof 430

Amendment proposed to the said proposed Amendment,

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Question proposed,

"That the words 'being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House' stand part of the proposed Amendment."

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Fawcett:*)—Question put:—The House *divided;* Ayes 38, Noes 242; Majority 204.—(Div. List, No. 59.)

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Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

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COMMONS, MONDAY, APRIL 7.

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PARLIAMENT—NEW WRIT FOR COCKERMOUTH—

Moved, "That the Clerk of the Crown do make out a new Writ for the Borough of Cockermouth,"—(*Mr. Adam*) 454

Question, Colonel Arbuthnot; Answer Mr. Adam

Motion *agreed to*.

INDIA—CORPORAL PUNISHMENT IN MYSORE—Question, Mr. P. A. Taylor; Answer, Mr. E. Stanhope 455

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Army Discipline and Regulation Bill [Bill 88]—

Moved, "That the Bill be now read a second time,"—(*Mr. Secretary Stanley*) 455

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no measure for the Discipline of the Army will be satisfactory which does not secure to every officer accused of any military offence a speedy and impartial trial by a military tribunal, selected under regulations enacted by Parliament, in such a manner as to ensure that the constitution of the Court shall be free from any suspicion of favouritism or prejudice, and act under the rules of evidence governing ordinary legal tribunals, and which, moreover, does not provide that any military officer accused of a military offence shall be tried by a court martial, and not by the secret and informal proceedings of Courts of Inquiry,"—(*Mr. Edward Jenkins*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 138, Noes 32; Majority 106.—(Div. List, No. 63.)

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* 21st April.

Vaccination Acts (Ireland) Amendment Bill [Bill 90]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General for Ireland*) 502

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hopwood.*)

Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put, and *agreed to*.

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* 21st April.

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Poor Law (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 122] 514

Noxious Gases Bill—*Ordered* (*Mr. Sclater-Booth, Viscount Sandon, Sir Henry Selwin-Ibbetson, Mr. Salt*); *presented*, and read the first time [Bill 123] 514

Licensing Acts Amendment (Scotland) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. Mark Stewart, Sir George Douglas, Dr. Cameron, Sir Graham Montgomery*); *presented*, and read the first time [Bill 124] .. 514

ADJOURNMENT—*Resolved*, That this House will, at the rising of the House this day, adjourn till Thursday the 17th day of this instant April,—(*Mr. Chancellor of the Exchequer.*)

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Post Office—Book Post Rates—Transmission of Circulars—Question, Mr. Lyon Playfair; Answer, Lord John Manners 515

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Egypt—Financial Changes—Dismissal of Mr. Rivers Wilson and M. Blignieres—Questions, Observations, Sir Julian Goldsmid, Mr. E. Jenkins; Reply, The Chancellor of the Exchequer 519

Moved, "That this House do now adjourn,"—(*Sir Julian Goldsmid*) 523

Turkey—Eastern Roumelia—The Proposed Joint Occupation—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer 524

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, tranquillity in the East demands that satisfaction be given to the just claims of Greece, and no satisfaction can be considered adequate that does not ensure execution of the recommendations embodied in Protocol 13 of the Berlin Congress,"—(*Mr. W. Cartwright*,)—instead thereof .. 525

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 63, Noes 47; Majority 16.—(Div. List, No. 64.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

Royal Parks and Pleasure Grounds—Observations, Mr. Dillwyn .. 570

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Irish University Education—Observations, Mr. O'Donnell, Major Nolan; Reply, Mr. J. Lowther; Observations, Mr. O'Clery .. 577

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

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SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Motion made, and Question proposed, "That a sum, not exceeding £29,540, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Maintenance and Repair of Royal Palaces" 586

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Henry Selwin-Ibbetson*:)—Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

Licensing Laws Amendment Bill [Bill 25]—

Moved, "That the Bill be now read a second time,"—(*Mr. Staveley Hill*) 587

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir Harcourt Johnstone.*)

Question proposed, "That the word 'now' stand part of the Question:" —*Moved*, "That the Debate be now adjourned,"—(*Mr. Ritchie*:)— Motion *agreed to*:—Debate *adjourned* till *Thursday* next.

Blind and Deaf-Mute Children (Education) Bill [Bill 93]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Wheelhouse*) 588

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Dillwyn*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

After short time spent therein, Bill *reported*, as amended; to be considered *To-morrow.*

Pier and Harbour Orders Confirmation (No. 2) Bill—*Considered* in Committee:—

Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. John G. Talbot, Viscount Sandon*); *presented*, and read the first time [Bill 125] 592

COMMONS, FRIDAY, APRIL 18.

PRIVATE BUSINESS.

Tring Poor's Land Bill [*Lords*] (*by Order*)—

Moved, "That the Bill be now read a second time,"—(*Mr. Halsey*) .. 592

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to sanction the sale of the Tring Poor's Allotment until a local and public inquiry has been held as to the expediency of the sale, and the possibility of exchanging the allotment for other land more suitably adapted for purposes of recreation and for garden allotments for the labouring poor, as contemplated by the 19th section of 'The Commons Act, 1876,'"—(*Mr. Shaw Lefevre*,)— instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed.*

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ORDER OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Public Health Acts, 1875 and 1878—Incidence of Rating—Motion for a Select Committee—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the incidence of rating for water supply and sewerage, and report what amendments, if any, it is advisable to make,"—(*Mr. Alexander Brown,*)—instead thereof 608

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Civil Service Estimates.

(In the Committee.)

Class I.—Public Works and Buildings.

(1.) £29,540, to complete the sum for Royal Palaces.—After short debate, Vote *agreed to* 617

(2.) £2,475, to complete the sum for Marlborough House. — After short debate, Vote *agreed to* 623

(3.) Motion made, and Question proposed, "That a sum, not exceeding £94,261, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Royal Parks and Pleasure Gardens" 623

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £94,076, be granted, &c.,"—(*Mr. Dillwyn:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 629

Motion made, and Question put, "That a sum, not exceeding £94,111, be granted, &c.,"—(*Mr. Dillwyn:*)—The Committee *divided:*—Ayes 33, Noes 56; Majority 23. —(Div. List, No. 65.)

After short debate, Original Question put, and *agreed to.*

(4.) Motion made, and Question proposed, "That a sum, not exceeding £26,930, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Buildings of the Houses of Parliament" 631

After short debate, Motion made, and Question put, "That a sum, not exceeding £25,180, be granted, &c.,"—(*Mr. Mundella:*)—The Committee *divided;* Ayes 20, Noes 48; Majority 28.—(Div. List, No. 66.)

After short debate, Original Question put, and *agreed to.*

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SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

(5.) £97,255, to complete the sum for Public Buildings.—After short debate, Vote *agreed to* 635
(6.) £13,285, to complete the sum for Furniture of Public Offices.
(7.) £153,134, to complete the sum for Revenue Department Buildings, Great Britain.—After short debate, Vote *agreed to* 637
(8.) £38,750, to complete the sum for County Court Buildings.—After short debate, Vote *agreed to* 637
(9.) £18,018, to complete the sum for Metropolitan Police Court Buildings.—After short debate, Vote *agreed to* 637
(10.) £6,803, to complete the sum for Sheriff Court Houses, Scotland.—After short debate, Vote *agreed to* 639
(11.) £99,300, to complete the sum for New Courts of Justice and Offices.—After short debate, Vote *agreed to* 639
(12.) £111,100, to complete the sum for Surveys of the United Kingdom.—After short debate, Vote *agreed to* 643
(13.) £17,386, to complete the sum for Science and Art Department Buildings.—After short debate, Vote *agreed to* 646
(14.) £3,919, to complete the sum for British Museum Buildings.
(15.) Motion made, and Question proposed, "That a sum, not exceeding £39,476, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Erection of a Natural History Museum" 648
Motion made, and Question proposed, "That a sum, not exceeding £34,476, be granted, &c.,"—(*Mr. Edward Jenkins*:)—After short debate, Question put:—The Committee *divided;* Ayes 10, Noes 57; Majority 47.—(Div. List, No. 67.)
After short debate, Original Question put, and *agreed to.*
(16.) £16,800, to complete the sum for Edinburgh University Buildings.—After short debate, Vote *agreed to* 652
(17.) £14,062, to complete the sum for Harbours, &c., under the Board of Trade.—After short debate, Vote *agreed to* 655
(18.) £153,856, to complete the sum for Rates on Government Property.
(19.) £7,500, to complete the sum for the Metropolitan Fire Brigade.
Motion made, and Question proposed, "That a sum, not exceeding £122,644, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Erection, Repairs, and Maintenance of the several Public Buildings under the Department of the Commissioners of Public Works in Ireland" 660
After short debate, Motion, by leave, *withdrawn.*
(20.) £10,110, to complete the sum for Lighthouses Abroad.—After short debate, Vote *agreed to* 660
(21.) £19,216, to complete the sum for Diplomatic and Consular Buildings.—After short debate, Vote *agreed to* 662

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(22.) £36,244, to complete the sum for House of Lords Offices.—After short debate, Vote *agreed to* 667
(23.) £41,711, to complete the sum for the House of Commons Offices.—After debate, Vote *agreed to* 669
(24.) £49,815, to complete the sum for the Treasury.—After short debate, Vote *agreed to* 677
(25.) £74,302, to complete the sum for the Home Office.
(26.) £59,890, to complete the sum for the Foreign Office.
(27.) £32,617, to complete the sum for the Colonial Office.
(28.) £25,304, to complete the sum for the Privy Council Office.
(29.) Motion made, and Question proposed, "That a sum, not exceeding £2,270, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of the Lord Privy Seal" .. 681
Moved, to omit the Vote,—(*Lord Edmond Fitzmaurice*:)—After short debate, Question put:—The Committee *divided;* Ayes 57, Noes 25; Majority 32.—(Div. List, No. 68.)
(30.) Motion made, and Question proposed, "That a sum, not exceeding £138,776, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments" 687
After debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Dillwyn*:)—After further short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

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Moved, "That the Orders of the Day subsequent to the Committee of Supply be postponed until after the Notice of Motion for the introduction of the Banking and Joint Stock Companies Bill,"—(*The Chancellor of the Exchequer*) 705

After short debate, Motion *agreed to.*

ORDER OF THE DAY.

SUPPLY—*considered* in Committee—Civil Service Estimates.

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) £24,699, to complete the sum for the Charity Commission.—After short debate, Vote *agreed to* 707
(2.) Motion made, and Question proposed, "That a sum, not exceeding £22,282, be granted to Her Majesty, to complete the sum necessary to defray the Charge

Supply—Civil Service Estimates—Committee—*continued.*

which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Civil Service Commission" .. 708

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £20,282, be granted, &c.,"—(*Mr. Mundella*:)—After further short debate, Question put:—The Committee *divided;* Ayes 94, Noes 110; Majority 16.—(Div. List, No. 69.)

After short debate, Original Question put, and *agreed to.*

(3.) £13,907, to complete the sum for the Copyhold, Inclosure, and Tithe Commission.

(4.) £6,890, to complete the sum for Inclosure and Drainage Acts, Imprest Expenses.

(5.) £45,450, to complete the sum for the Exchequer and Audit Department.—After debate, Vote *agreed to* 727

(6.) £4,935, to complete the sum for the Friendly Societies Registry.—After short debate, Vote *agreed to* 740

(7.) Motion made, and Question proposed, "That a sum, not exceeding £317,123, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation 741

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £315,123, be granted, &c.,"—(*Mr. Gourley*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 753

Motion made, and Question proposed, "That a sum, not exceeding £177,123, be granted, &c.,"—(*Mr. M'Laren*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 761

After short debate, Original Question put, and *agreed to.*

(8.) £12,364, to complete the sum for the Lunacy Commission, England.

(9.) Motion made, and Question proposed, "That a sum, not exceeding £53,065, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Mint, including Expenses of the Coinage" 766

After debate, Motion made, and Question put, "That a sum, not exceeding £50,065, be granted, &c.,"—(*Mr. Chamberlain*:)—The Committee *divided;* Ayes 65, Noes 111; Majority 46.—(Div. List, No. 70.)

Original Question put, and *agreed to.*

(10.) Motion made, and Question proposed, "That a sum, not exceeding £13,892, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the National Debt Office" 775

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £13,192, be granted, &c.,"—(*Mr. Morgan Lloyd*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £23,343, be granted to Her Majesty, to complete the sum necessary to defray the Charges which will come in course of payment during the year ending on the 31st day of March 1880, connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act" 784

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £22,803, be granted, &c.,"—(*Mr. Chamberlain.*)

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again upon *Wednesday.*

MOTION.

Banking and Joint Stock Companies Bill—

Moved, "That the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Law with respect to the liability of members of Banking and other Joint Stock Companies; and for other purposes,"—(*Mr. Chancellor of the Exchequer*) 790

After debate, Question put, and *agreed to.*

Banking and Joint Stock Companies Bill—continued.

Matter *considered* in Committee.

(In the Committee.)

Resolution *agreed to,* and *reported* :—Bill *ordered* (*Mr. Chancellor of the Exchequer, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time [Bill 126]

ORDERS OF THE DAY.

SUPPLY—REPORT—Resolutions [18th April] *reported* 816

Resolutions 1 to 16, inclusive, *agreed to.*
Resolution 17 :—After short debate, Resolution *agreed to.*
Resolutions 18 to 24, inclusive, *agreed to.*
Resolution 25 :—After short debate, Resolution *agreed to.*
Remaining Resolutions *agreed to.*

Valuation of Property Bill [Bill 71]—
Order for Committee read. [*Progress*, 21*st March*] 816
After short debate, Committee *deferred* till *Friday.*

Convention (Ireland) Act Repeal (No. 2) Bill [Bill 116]—
Order for Second Reading read 817
Bill read a second time, and *committed* for *Monday* 5th May.

MOTIONS.

Dogs Regulation (Ireland) Act (1865) Amendment Bill—
Motion for Leave (*Mr. J. Lowther*) 817

After short debate, Motion *agreed to* :—Bill to amend "The Dogs Regulation (Ireland) Act, 1865," *ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*) ; *presented*, and read the first time [Bill 129.]

Local Government Provisional Orders (Ashton under Lyne, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 127] .. 818

Public Health (Ireland) Act (1878) Amendment Bill—*Ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*) ; *presented*, and read the first time [Bill 128] 819

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SOUTH AFRICA—THE ZULU WAR—TELEGRAMS FROM THE SEAT OF WAR—Questions, The Earl of Kimberley, Lord Vivian, The Duke of Argyll, The Earl of Camperdown ; Answers, Earl Cadogan, Viscount Bury .. 819

Rivers Conservancy Bill (No. 20)—
Moved, "That the House do now resolve itself into Committee,"—(*The Lord President*) 821

Amendment *moved*, to leave out all the words after ("That,") and insert—

"If A having ten years ago purchased a property in the uplands of a river conservancy district in the valuation of which the liability to a charge for a conservancy rate could not have been included, and B having in the same year purchased a property in the flood lands of the same district in the valuation of which the damage from floods must have been necessarily estimated, it will be unreasonable and unjust that A's property

Rivers Conservancy Bill—continued.

should be taxed for the improvement of B's property, when his lands cannot receive any benefit from the outlay to which under the Rivers Conservancy Bill he is to be compelled to contribute,"—(*The Earl of Redesdale.*)

After short debate, Amendment (by leave of the House) *withdrawn.*

Original Motion *agreed to*:—House in Committee accordingly.

Amendments made; the Report thereof to be received on *Thursday* the 1*st of May*; and Bill to be *printed*, as amended. (No. 59.)

South Africa—The Zulu War—Further Telegrams—Observations, Viscount Bury 831

COMMONS, TUESDAY, APRIL 22.

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MOTIONS.

Parliament—Select Committees (Nomination)—Motion for a Committee—

Moved, "That a Committee be appointed, to consist of Seven Members, to be called the Committee of Nomination for Select Committees on Public Bills and other matters:

"That such Committee shall, unless otherwise ordered by the House, nominate Members to serve on all Select Committees to which Public Bills, or other matters may be referred,"—(*Mr. Isaac*) 839

After debate, Question put, and *negatived.*

Sugar Industries—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to consider the injurious effect upon the Home and Colonial Sugar industries of the system prevailing in various countries of giving bounties on the export of Sugar, and to report whether, in their opinion, any remedial measures can be devised by Parliament,"—(*Mr. Ritchie*) 860

After debate, Amendment proposed,

To leave out from the word "to," in line 1, to the end of the Question, in order to add the words "inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries; and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,"—(*Mr. Secretary Cross,*)—instead thereof 902

Question proposed, "That the words proposed to be left out stand part of the Question:"—After further debate, Question put, and *negatived.*

SUGAR INDUSTRIES—MOTION FOR A SELECT COMMITTEE—*continued.*

Question proposed,

"That the words 'inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries, and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,' be added, instead thereof" 916

Amendment proposed to the said proposed Amendment,

To insert, after the words "if any," the words "other than the imposition of compensatory duties,"—(*Mr. William Edward Forster.*)

Question proposed, "That those words be there inserted:"—After short debate, Question put:—The House *divided;* Ayes 43, Noes 70; Majority 27.—(Div. List, No. 71.)

After short debate, Question,

"That the words 'inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries, and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,' be added after the word 'that' in the Original Question,"

—put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

And, on May 20, Committee *nominated:*—List of the Committee .. 920

ORDERS OF THE DAY.

Companies Acts Amendment Bill [Bill 102]—

Moved, "That the Bill be now read a second time,"—(*Sir John Lubbock*) 921

After short debate, Question put, and *agreed to:*—Bill read a second time, and *committed.*

SUPPLY—REPORT—Resolutions [21st April] *reported* 922

Resolutions 1 to 8, inclusive, *agreed to.*

Resolution 9:—After short debate, Resolution *agreed to.*

Remaining Resolution *agreed to.*

COMMONS, WEDNESDAY, APRIL 23.

QUESTION.

NATIONAL SCHOOL TEACHERS (IRELAND) — LEGISLATION — Question, Mr. Meldon; Answer, Mr. J. Lowther 923

ORDERS OF THE DAY.

Voters Registration (Ireland) Bill [Bill 29]—

Moved, "That the Bill be now read a second time,"—(*Mr. Meldon*) .. 924

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Tuesday* next.

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Ulster Tenant Right Bill [Bill 37]—

Moved, "That the Bill be now read a second time,"—(*Mr. Macartney*) .. 946

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir John Leslie.*)

Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 131, Noes 146; Majority 15.—(Div. List, No. 72.)

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

Bills of Sale (Ireland) Bill [Bill 45]—

Moved, "That the Bill be now read a second time,"—(*Mr. Meldon*) .. 959

Motion *agreed to:*—Bill read a second time, and *committed* for *Tuesday* 13th May.

Municipal Franchise (Ireland) Bill [Bill 74]—

Moved, "That the Bill be now read a second time,"—(*Major O'Gorman*) 960

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MOTIONS.

Animal Vaccination Bill—*Ordered* (*Dr. Cameron, Earl Percy, Mr. Lyon Playfair, Dr. Lush*); *presented,* and read the first time [Bill 131] 961

Statute Law Revision (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. James Lowther*); *presented,* and read the first time [Bill 132] 961

Local Government (Ireland) Provisional Orders (Waterford, &c.) Bill—*Ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 133] 961

LORDS, THURSDAY, APRIL 24.

Poor Law Amendment Act (1876) Amendment Bill (No. 34)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Norton*) .. 962

After short debate, on Question? *Resolved* in the *Affirmative:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the *2nd of May* next.

Courts of Justice Building Bill (No. 44)—

Moved, "That the Order for the Second Reading be discharged,"—(*The Lord Chancellor*) 966

Motion *agreed to:*—Order *discharged:*—Bill *withdrawn.*

Assessed Rates Act Amendment Bill (No. 55)—

Moved, "That the Bill be now read 2ª,"—(*Earl Stanhope*) 966

Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Railways (Ireland)—Resolution—

Moved to resolve, That in the opinion of this House it is desirable that facilities should be given for the construction of railways in Ireland on a gauge narrower than five feet three inches in mountainous or thinly populated districts where the construction of railways on the standard gauge would be difficult or unremunerative,—(*The Viscount Lifford*) 966

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RAILWAYS (IRELAND)—RESOLUTION—*continued.*

Previous Question *moved* (*The Earl of Redesdale.*)

After short debate, Motion and Original Motion (by leave of the House) *withdrawn.*

Moved, "That in the opinion of this House the construction of railways in Ireland on a gauge narrower than five feet three inches, where the construction of railways on the standard gauge would be difficult or unremunerative, is desirable."

On Question? *Resolved* in the *Affirmative.*

ARMY — RANGE - FINDERS—Question, Observations, Lord Truro; Reply, Viscount Bury 977

COMMONS, THURSDAY, APRIL 24.

QUESTIONS.

BANKRUPTS—DEBTORS' ACT, 1869—Question, Mr. Dodds; Answer, The Attorney General 978

LAW AND JUSTICE—ABERYSTWYTH MAGISTRATES — Question, Sir Wilfrid Lawson; Answer, Mr. Assheton Cross 979

SOLICITORS' ACTS, 1860 AND 1877 — ARTICLED CLERKS — Question, Sir Walter B. Barttelot; Answer, Mr. Assheton Cross 980

ARMY — OFFICERS' CHARGERS—Question, Lord Lindsay; Answer, Lord Eustace Cecil 980

EGYPT — FINANCIAL CHANGES — DISMISSAL OF MR. RIVERS WILSON—Questions, Sir Julian Goldsmid; Answer, The Chancellor of the Exchequer 981

ARMY— OFFICERS OF THE COAST BRIGADE (ROYAL ARTILLERY)—Question, Earl Percy; Answer, Lord Eustace Cecil 981

ACT 28 VICT. c. 87—CORN AVERAGES—Question, Colonel Ruggles Brise; Answer, Mr. J. G. Talbot 982

EAST INDIA—(DUTIES ON COTTON GOODS)—Question, Sir George Campbell; Answer, Mr. E. Stanhope 983

CRIMINAL LAW—CRIMINAL LUNATICS IN COUNTY ASYLUMS—Question, Sir Joseph Bailey; Answer, Mr. Assheton Cross 984

DOGS REGULATION (IRELAND) ACT (1865) AMENDMENT BILL—Question, Major Nolan; Answer, Mr. J. Lowther 985

WAYS AND MEANS — THE REVENUE—CUSTOMS AND EXCISE—Question, Sir William Harcourt; Answer, The Chancellor of the Exchequer .. 985

VICTORIA—THE LEGISLATIVE CRISIS—Question, Mr. A. Mills; Answer, Sir Michael Hicks-Beach 987

ORDERS OF THE DAY.

WAYS AND MEANS—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE NATIONAL EXPENDITURE—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House views with regret the great increase in the National Expenditure,"—(*Mr. Rylands,*)—instead thereof 987

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Goschen:*)—Motion *agreed to*:—Debate *adjourned* till *Monday.*

Prosecution of Offences Bill [Bill 68]—

Bill *considered* in Committee [*Progress* 14*th March*] 1086
After some time spent therein, [House counted out.]

LORDS, FRIDAY, APRIL 25.

South Africa—The Zulu War—Importation of Arms and Munitions—Question, Observations, Lord Ellenborough; Reply, Earl Cadogan 1094

COMMONS, FRIDAY, APRIL 25.

QUESTIONS.

Constabulary (Ireland)—Case of Sub-Constable Joyce—Question, Major O'Beirne; Answer, Mr. J. Lowther 1097

Grand Jury Laws (Ireland)—Question, Major Nolan; Answer, Mr. J. Lowther 1097

United Kingdom Electric Telegraph Company—Question, Mr. Fortescue Harrison; Answer, The Chancellor of the Exchequer 1098

Civil Service (India)—Question, Mr. Herschell; Answer, Mr. E. Stanhope 1098

State of the Country—The Durham Strike—Question, Mr. Burt; Answer, Mr. Assheton Cross 1099

France—The Commercial Treaty—The "Surtaxe D'Entrepot"—Question, Mr. Mac Iver; Answer, Mr. Bourke 1099

Egypt—Rumoured Deposition of the Khedive—Question, Sir Julian Goldsmid; Answer, The Chancellor of the Exchequer 1100

South America—Chili and Peru—Hostilities—Questions, Mr. Anderson; Answer, The Chancellor of the Exchequer 1101

Criminal Law—Case of Thomas Moran—Question, Dr. Kenealy; Answer, Mr. Asssheton Cross 1101

South Africa—The Zulu War—The Command in South Africa—Question, Mr. E. Jenkins; Answer, The Chancellor of the Exchequer 1103

The Banking Bill—Question, Mr. Sampson Lloyd; Answer, The Chancellor of the Exchequer 1103

Central Asia—Persia and Herat—Question, Mr. C. Beckett-Denison; Answer, Mr. Bourke 1103

East India Loan (£2,000,000)—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 1104

ORDERS OF THE DAY.

Clare County Writ—

Report from Select Committee on the Clare County Writ *considered* .. 1104

Moved, "That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf,"—(*Mr. Secretary Cross.*)

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering it is undesirable to decide by Resolution a doubtful question of grave importance involving the status of Members of this House, it is expedient that a Bill should be brought in to settle the Law relating to the disqualifications caused by accepting Colonial offices,"—(*Sir Julian Goldsmid*,)—instead thereof.

CLARE COUNTY WRIT—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 180, Noes 11; Majority 169.

Division List, Ayes and Noes 1185

Main Question put.

1. *Resolved,* That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf.
2. *Resolved,* That Sir Bryan O'Loghlen has since his Election for the County of Clare accepted the said office, and has thereby vacated his seat.

NEW WRIT—

Moved, "That a new Writ be ordered to be issued for the election of a Member for the County of Clare in the room of Sir Bryan O'Loghlen, who since his election for that county has accepted the office of Attorney General for the Colony of Victoria,"—(*Major Nolan.*)

Motion *agreed to.*

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CHARITY COMMISSION—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the maintenance of the expenses of the Charity Commission should no longer be defrayed out of the Consolidated Fund without some equivalent amount being contributed by the charities under its jurisdiction, and that such means can be alone provided by removing the exemption of these charities from the income tax or imposing some tax on them corresponding to the Succession Duty, from the operation of which they are also exempt,"—(*Mr. James,*)—instead thereof 1187

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the maintenance of the expenses of the Charity Commission should be referred to a Select Committee for consideration, and to report by what means other than by a charge on the Consolidated Fund these expenses might be best defrayed,"—(*Mr. Pell,*)—instead thereof 1213

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 72, Noes 52; Majority 20.—(Div. List, No. 74.)

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

MOTIONS.

THAMES RIVER (PREVENTION OF FLOODS) BILL (1877)—

Minutes of the Evidence and the Proceedings taken before the Committee on the Thames River (Prevention of Floods) Bill, in Session 1877, referred to the Committee on the Thames River (Prevention of Floods) Bill,—(*Sir Charles Forster.*)

HALL MARKING (GOLD AND SILVER)—

Minutes of the Evidence taken before the Select Committee on Silver and Gold Wares in Session 1856, and the Report of the Committee, referred to the Select Committee on Hall Marking (Gold and Silver),—(*Sir Henry Jackson.*)

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TURNPIKE ACTS CONTINUANCE ACT, 1878—

Select Committee *appointed*, "to inquire into the Seventh Schedule of the annual Turnpike Acts Continuance Act, 1878:"—List of the Committee 1214

Instruction to the Committee that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years or other special arrangements, the Acts of the Trusts mentioned should be continued.

All Petitions relating to the continuance or discontinuance of Turnpike Trusts referred to the Committee.—(*Mr. Salt.*)

LAW OF LIBEL—

Select Committee *appointed*, "to inquire into the Law in relation to Libels in newspapers and journals, and as to the mode of proving the publication of such Libels, and the means of rendering the proprietors and publishers of newspapers and journals responsible civilly and criminally for the Libels contained therein:"—List of the Committee 1215

Gas and Water Provisional Orders Confirmation Bill—*Ordered* (*Mr. John G. Talbot, Viscount Sandon*); *presented*, and read the first time [Bill 136] .. 1215

LORDS, MONDAY, APRIL 28.

LETTERKENNY RAILWAY BILL—RE-COMMITTAL—Observations, The Earl of Redesdale, Viscount Lifford 1216

ARMY — RANGE-FINDERS — Observations, Lord Truro; Reply, Viscount Bury 1216

CONTAGIOUS DISEASES (ANIMALS) ACT, 1878 — TRANSIT OF ANIMALS ORDER—MOTION FOR A PAPER—

Moved that there be laid before the House, Copies of the Rules and Regulations issued by the Privy Council on the subject of the Contagious Diseases (Animals) Act, 1878, —(*The Earl De La Warr*) 1218

After short debate, Motion (by leave of the House) *withdrawn*.

MILITIA—MOTION FOR A SELECT COMMITTEE—

Moved, That a Select Committee be appointed to inquire into the effect of rendering the militia available for service in colonial garrisons,—(*The Lord Stratheden and Campbell*) 1221

After short debate, Motion (by leave of the House) *withdrawn*.

County Courts Bill (Nos. 60-62)—

Moved, "That the House do now resolve itself into Committee" .. 1239

On Question, *agreed to*: House in Committee accordingly.

Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed*, as amended (No. 62.)

Railways and Telegraphs in India Bill [H.L.]—*Presented* (*The Viscount Cranbrook*); read 1ª (No. 63) 1239

COMMONS, MONDAY, APRIL 28.

QUESTIONS.

PUBLIC HEALTH ACT — CASE OF EMILY HULBERT—Question, Sir William Fraser; Answer, Lord George Hamilton 1240

TREATY OF BERLIN—EASTERN ROUMELIA—Question, Mr. Chamberlain; Answer, Mr. Bourke 1240

TURKEY—CRETE—Question, Mr. Monk; Answer, Mr. Bourke .. 1241

THE GERMAN EMPIRE—INSULT TO A BRITISH SUBJECT, MR. W. CAMPBELL —Question, Mr. Anderson; Answer, Mr. Bourke 1241

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CRIMINAL LAW—CASE OF THOMAS MORAN—Questions, Colonel Beresford, Mr. Cole; Answers, Mr. Assheton Cross 1242

INLAND REVENUE — THE ECCLESIASTICAL COMMISSIONERS—Question, Mr. Foljambe; Answer, The Chancellor of the Exchequer 1245

THE ARMY DISCIPLINE ANNUAL ACT—Question, Sir Alexander Gordon; Answer, Colonel Stanley 1245

EGYPT — FINANCIAL CHANGES — DISMISSAL OF MR. RIVERS WILSON—Questions, Sir Julian Goldsmid, The Marquess of Hartington; Answers, The Chancellor of the Exchequer, Mr. Bourke 1246

TREATY OF BERLIN—EASTERN ROUMELIA AND OCCUPATION OF THE BALKAN PASSES BY TURKEY—Question, Mr. C. Beckett-Denison; Answer, The Chancellor of the Exchequer 1247

CHILI AND PERU—HOSTILITIES—THE CHILIAN FLEET—BOMBARDMENT OF PISAGUA—Question, Mr. Anderson; Answer, Mr. Bourke .. 1247

IRELAND—ST. PATRICK'S DAY—DISTURBANCES IN LONDONDERRY—Question, Mr. O'Donnell; Answer, Mr. J. Lowther 1248

POOR LAW—SEPARATION OF OLD MARRIED PAUPERS—Question, Sir George Campbell; Answer, Mr. Sclater-Booth 1249

ORDERS OF THE DAY.

WAYS AND MEANS — THE NATIONAL EXPENDITURE — RESOLUTION [ADJOURNED DEBATE]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th April], "That Mr. Speaker do now leave the Chair" (for Committee of Ways and Means:)—Question again proposed:—Debate *resumed* 1249

After long debate, Question put:—The House *divided;* Ayes 303, Noes 230; Majority 73.

Division List, Ayes and Noes 1344

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-nine, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Five Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Two Pence Halfpenny;

In Scotland and Ireland respectively, the Duty of One Penny Three Farthings: Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds" .. 1348

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Gladstone*:)—After short debate, Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

[*April* 28.]

Prosecution of Offences Bill [Bill 68]—
Bill *considered* in Committee [*Progress 24th April*] 1351
After short time spent therein, Committee report Progress; to sit again upon *Thursday*.

Valuation of Property Bill [Bill 71]—
Order for Committee read [*Progress 21st March*] 1353
After short debate, Committee *deferred* till *Thursday*.

Licensing Acts Amendment (Scotland) Bill [Bill 124]—
Moved, "That the Bill be now read a second time,"—(*Mr. Mark Stewart* 1353
Moved, "That the Debate be now adjourned,"—(*Mr. Onslow*:)—Question put:—The House *divided;* Ayes 12, Noes 43; Majority 31.—(Div. List, No. 76.)
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*.

Local Government Provisional Orders (Abergavenny Union, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 137] .. 1354

LORDS, TUESDAY, APRIL 29.

SOUTH AFRICA—THE ZULU WAR—THE DESPATCHES—Question, Earl Granville; Answer, Earl Cadogan 1355
RAILWAYS (IRELAND)—THE LETTERKENNY RAILWAY BILL—Question, Observations, The Earl of Redesdale; Reply, Viscount Lifford .. 1355

TRADE—FREE TRADE AND RECIPROCITY—RESOLUTIONS—
Moved to resolve—
"1. That this House, fully recognizing the benefits which would result to the community if a system of real free trade were universally adopted, is of opinion that it is expedient in all future commercial negotiations with other countries to advocate a policy of Reciprocity between all inter-trading nations; and
"2. That the long continued depressed state of the commercial, manufacturing, and agricultural interests should form the subject of a full Parliamentary inquiry, with the view of ascertaining the causes, the best means of redress, and of counteracting the injurious effects of the excessive tariffs levied by foreign nations against the produce and manufactures of this country,"—(*The Lord Bateman*) .. 1356
After debate, on Question? *Resolved* in the *Negative*.

Children's Dangerous Performances Bill [H.L.]—*Presented* (*The Earl De La Warr*); read 1ª (No. 64) 1399

COMMONS, TUESDAY, APRIL 29.

QUESTIONS.

CRIMINAL LAW (INDIA)—USE OF TORTURE—Question, Mr. P. A. Taylor; Answer, Mr. E. Stanhope 1399
JURY LAWS (IRELAND)—THE JURORS QUALIFICATION (IRELAND) ACT, 1876—Question, Mr. M. Brooks; Answer, Mr. J. Lowther 1400
SCOTLAND—REGISTER HOUSE, EDINBURGH—Question, Mr. M'Laren; Answer, Mr. Assheton Cross 1401
SCOTLAND—HERRING FISHERY IN LOCH FYNE—Question, Sir William Cuninghame; Answer, The Lord Advocate 1401
IRISH CHURCH TEMPORALITIES COMMISSIONERS—RETURN OF SALES OF LAND—Question, Mr. Bruen; Answer, Sir Henry Selwin-Ibbetson .. 1402

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South Africa—The Zulu War—The Military Command—Question, Mr. E. Jenkins; Answer, The Chancellor of the Exchequer .. 1402

Army—Auxiliary Forces—Yeomanry Adjutants—Question, Mr. Sotheron-Estcourt; Answer, Colonel Stanley 1403

Railways—Court of Railway Commissioners—Question, Lord Claud Hamilton; Answer, Viscount Sandon 1403

South Africa—The Zulu War—The late Telegram—Observation, Sir Michael Hicks-Beach 1404

MOTIONS.

Boiler Explosions—Resolution—

Moved, "That, in the opinion of this House, it is desirable that enginemen should undergo an examination as to their fitness before they are placed in charge of engines and boilers, and that it is incumbent on steam users to provide for a competent and an independent inspection of all steam boilers, and to report to the Board of Trade or the Home Office,"—(*Mr. Burt*) 1404

After debate, Motion, by leave, *withdrawn.*

Railways and Tramways—Resolution, Mr. Delahunty 1426

[House counted out.]

COMMONS, WEDNESDAY, APRIL 30.

Foreign and Colonial Policy of the Government—Notice of Motion, Sir Wilfrid Lawson 1428

PETITIONS.

Intoxicating Liquors (Ireland) Bill—Petitions Presented—

Moved, "That the Petition be read by the Clerk at the Table" .. 1428

Motion *agreed to*:—Petition read.

Moved, "That the said Petition do lie upon the Table,"—(*Mr. Maurice Brooks*:)—After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Meldon*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to*:—Petition laid upon the Table.

Parliament—Order—Alteration of Questions on Notice Paper—Observations, Sir Robert Peel, Mr. Speaker 1430

ORDER OF THE DAY.

Intoxicating Liquors (Ireland) Bill [Bill 32]—

Moved, "That the Bill be now read a second time,"—(*Mr. Sullivan*) .. 1434

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the recent legislation for the restriction of the hours of trade in public houses in Ireland, it is not expedient to pass any further measures of restriction during the present Session,"—(*Mr. Maurice Brooks,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

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MOTIONS.

Local Government Provisional Orders (Aysgarth Union, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 142] .. 1479

Game Laws Amendment (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 143] 1480

Valuation of Lands and Assessments (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 144] 1480

Trustees Relief Bill—*Ordered* (*Mr. Wheelhouse, Sir George Bowyer, Sir Eardley Wilmot, Mr. Isaac*); *presented*, and read the first time [Bill 145] 1480

LORDS, THURSDAY, MAY 1.

FOREIGN POLICY—Notice of Motion, The Duke of Argyll 1480

AFFAIRS OF EGYPT—PAPERS—Question, Observations, The Marquess of Lansdowne, Earl Granville; Replies, The Marquess of Salisbury, The Earl of Beaconsfield:—Observations, The Earl of Kimberley .. 1481

Rivers Conservancy Bill (Nos. 7-59-67)—

Order of the Day for receiving the Report of the Amendments, read .. 1483

Moved, "That the said Report be now received,"—(*The Lord President.*)

Amendment *moved*,

To leave out from ("That") to the end of the motion, and to add
("1. The conservancy of rivers and watercourses and the prevention and mitigation of floods are duties properly incumbent upon owners of lands;
"2. Conservancy boards ought to consist of owners of lands only, by which class also all rates for the above purposes ought to be defrayed,")—(*The Earl of Camperdown.*)

After short debate, on Question, That the words proposed to be left out stand part of the Motion? their Lordships *divided;* Contents 57, Not-Contents 36; Majority 21.

List of Contents and Not-Contents 1488

Resolved in the *Affirmative*:—Original Motion *agreed to*, and Amendments *reported* accordingly:—After further short debate, Bill to be read 3^a on *Monday* next; and to be *printed*, as amended. (No. 67.)

COMMONS, THURSDAY, MAY 1.

QUESTIONS.

ELEMENTARY EDUCATION ACT—CHILDREN IN BOARD SCHOOLS—Question, Mr. Heygate; Answer, Mr. Sclater-Booth 1492

SOUTH AFRICA—THE ZULU WAR—H.R.H. THE COMMANDER-IN-CHIEF AND LORD CHELMSFORD—Question, Mr. E. Jenkins; Answer, Colonel Stanley 1493

INFANTS' LIFE PROTECTION ACT, 1872—CRUELTY TO CHILDREN—Question, General Shute; Answer, Mr. Assheton Cross 1494

CONTAGIOUS DISEASES (ANIMALS) ACT—TRAVELLING INSPECTORS—Question, Mr. J. W. Barclay; Answer, Lord George Hamilton .. 1494

EAST INDIA—(DUTIES ON COTTON GOODS)—Question, Sir George Campbell; Answer, Mr. E. Stanhope 1495

EDUCATION—RELIGIOUS EDUCATION OF CHILDREN IN UNIONS—Question, Sir Matthew Wilson; Answer, Mr. Sclater-Booth 1496

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Army Discipline and Regulation Bill—Question, Sir Alexander Gordon; Answer, Colonel Stanley .. 1504
Parliament—Morning Sittings—Question, Mr. Hibbert; Answer, Mr. Sclater-Booth .. 1505

ORDERS OF THE DAY.

Army Discipline and Regulation Bill [Bill 88]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Secretary Stanley*) .. 1505

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while fully recognising the acknowledged and undoubted right of the Crown to remove any officer from the Army at will and without trial, is of opinion that no officer accused of any military offence should be placed compulsorily upon half-pay, or removed from his appointment either in consequence of the opinion or recommendation of a court of inquiry, or of the evidence given before such a court, without being first afforded the opportunity for the public investigation of the charges made against him, on sworn evidence, before a general court martial under the provisions of this Bill,"—(*Sir Henry Havelock*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

After further short debate, Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee .. 1537

After some time spent therein, Committee report Progress; to sit again *To-morrow.*

Prosecution of Offences Bill [Bill 68]—

Bill *considered* in Committee [*Progress* 28*th April*] .. 1562

After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 147.]

Companies Acts Amendment Bill [Bill 102]—

Bill *considered* in Committee .. 1567

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

MOTIONS.

Marriages Confirmation (Her Majesty's Ships) Bill—

Motion for Leave (*Mr. A. F. Egerton*) .. 1571

Motion *agreed to:*—Bill to remove doubts as to the validity of certain Marriages of British subjects on board Her Majesty's Ships, *ordered* (*Mr. Algernon Egerton, Mr. William Henry Smith, Sir Massey Lopes, Mr. Staveley Hill*); *presented*, and read the first time [Bill 149.]

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Public Health (Scotland) Provisional Order (Bothwell) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*) 1572

SITTINGS OF THE HOUSE—
Resolved, That whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869,—(*Sir Henry Selwin-Ibbetson.*)

LORDS, FRIDAY, MAY 2.

SOUTH AFRICA—THE ZULU WAR—THE CONDITIONS OF PEACE—LATEST TELEGRAMS—Question, Observations, Earl Granville, The Earl of Kimberley; Replies, Earl Cadogan 1572

Poor Law Amendment Act (1876) Amendment Bill (No. 34)—
House in Committee (according to Order) 1576
Bill *reported*, without Amendment; and to be read 3ª on *Monday* next.

WEST DONEGAL RAILWAY BILL—RESOLUTION—
Moved, "That the House of Lords having affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible,"—(*Viscount Lifford*) 1580
After short debate, Motion amended, and *agreed to.*

Ordered, That the House of Lords having by resolution of the 24th of April last affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible, having regard to that resolution,—(*The Viscount Lifford.*)

COMMONS, FRIDAY, MAY 2.

COMMITTEE ON PRIVATE BILL.

GLASGOW MUNICIPAL EXTENSION, &c. BILL — BREACH OF PRIVILEGE—
Leave given to the Committee on the Glasgow Municipal Extension, &c. Bill to make a Special Report.
Special Report *brought up*, and read 1581
Special Report to be taken into Consideration upon *Monday* next, and to be *printed.*

QUESTIONS.

MERCHANT SHIPPING ACTS—LOSS OF THE "GIPSY QUEEN" — Question, Mr. Mac Iver; Answer, Viscount Sandon 1581
INLAND REVENUE — INHABITED HOUSE DUTY—MECHANICS' INSTITUTES—Question, Mr. Stanley Leighton; Answer, The Chancellor of the Exchequer 1583
NAVY — DISTINCTIVE BADGES OF ENGINE ROOM ARTIFICERS — Question, Sir David Wedderburn; Answer, Mr. W. H. Smith 1583
CUSTOMS RE-ORGANIZATION—Question, Mr. J. Corry; Answer, Sir Henry Selwin-Ibbetson 1584
RUSSIA—STATE PROSECUTIONS—Question, Personal Explanation, Sir Robert Peel; Answer, The Chancellor of the Exchequer; Observations, Major O'Gorman 1584
IRELAND—CARRICK-ON-SUIR BRIDGE—Question, Mr. Delahunty; Answer, Mr. J. Lowther 1589

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SOUTH AFRICA—THE ZULU WAR—THE EXPENDITURE—Questions, Mr. Whitwell, Sir George Campbell; Answers, The Chancellor of the Exchequer 1590

THE COLLIERY STRIKE IN DURHAM—Question, Mr. Burt; Answer, Mr. Assheton Cross 1592

SOUTH AFRICA—THE ZULU WAR—THE LATEST TELEGRAMS—Observation, Sir Michael Hicks-Beach; Notice of Question, Mr. John Bright; Question, Mr. Mitchell Henry; Answer, The Chancellor of the Exchequer 1593

PARLIAMENT—PUBLIC BUSINESS—Questions, Mr. W. E. Forster, Sir Walter B. Barttelot; Answer, The Chancellor of the Exchequer .. 1595

CRIMINAL LAW—CASE OF FREDERICK TAYLOR—Question, Mr. Boord; Answer, Mr. Assheton Cross 1595

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

IRISH LAND ACT, 1870—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the importance of a considerable addition to the number of owners of land in Ireland among the class of persons cultivating its soil, it is expedient that legislation should be adopted, without further delay, for increasing the facilities proposed with this object by the Irish Land Act, 1870, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the owners thereof,"—(*Mr. Shaw Lefevre,*)—instead thereof .. 1596

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put, and *negatived.*
Words *added:*—Main Question, as amended, put, and *agreed to*

Valuation of Property Bill [Bill 71]—
Order for Committee read:—*Moved,* "That this House will, upon Tuesday next, at Two of the clock, resolve itself into the said Committee,"—(*Sir Henry Selwin-Ibbetson*) 1668
Amendment proposed, to leave out the words "at Two of the clock,"—(*Mr. Dillwyn.*)
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*
Original Question put, and *agreed to:*—Committee *deferred* till *Tuesday* next, at Two of the clock.

Game Laws Amendment (Scotland) Bill [Bill 143]—
Order for Second Reading read 1672
After short debate, Bill read a second time, and *committed* for *Monday* next.

Marriages Confirmation (Her Majesty's Ships) Bill [Bill 149]
Order for Second Reading read 1673
After short debate, Second Reading *deferred* till *Monday* next.

Intoxicating Liquors (Ireland) Bill [Bill 32]—
Adjourned Debate on Amendment on Second Reading [30th April] *further adjourned* till *Friday* 16th May 1673

Local Government Provisional Orders (Aspull, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 151] 1674

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LORDS, MONDAY, MAY 5.

Page

Treaty of Berlin—Performance—Question, Observations, Earl Granville; Reply, The Marquess of Salisbury 1674

Sunday (Opening of Museums, &c.)—Resolution—

Moved to resolve, That this House having observed the excellent results that have followed upon the opening of museums, &c. on Sunday afternoons in Dublin, Birmingham, Manchester, Middlesborough, Hampton Court, Kew, &c., is of opinion that it is highly desirable that the prayer of the petition of the Council of the National Sunday League, presented to this House on the 27th of March last, praying "for the opening of the British Museum, the South Kensington and Bethnal Green Museums, and the National Gallery to the people on Sunday afternoons," should be granted, even if only in part and as a tentative measure, in order to provide the working classes of London with an alternative to the public-house on the many inclement Sunday afternoons when places of out-of-doors recreation, such as the public parks, are of no avail for the purposes of health and relaxation,—(*The Lord Thurlow*) .. 1683

After debate, on Question? their Lordships *divided;* Contents 59, Non-Contents 67; Majority 8.

Division List, Contents and Not-Contents 1704

Resolved in the *Negative.*

Omnibus Regulation Bill (No. 41)—

Moved, "That the Bill be now read 2ª,"—(*The Chairman of Committees*) 1705

Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 13*th instant.*

COMMONS, MONDAY, MAY 5.

PETITION.

India—British Indian Association, Calcutta—Petition presented, Mr. Gladstone 1707

Petition *ordered* to lie on the Table.

QUESTIONS.

Local Government Board (Ireland)—Question, Mr. Mitchell Henry; Answer, The Chancellor of the Exchequer 1708

Egypt—The Cabinet—Dismissal of Mr. Rivers Wilson and M. De Blignieres—Action of the Controllers—Question, Captain Price; Answer, Mr. Bourke 1709

Turkey—Russian Authorities in Eastern Roumelia—Questions, Mr. Hanbury; Answer, Mr. Bourke 1709

Queen's Plates (Ireland)—Questions, Mr. Sullivan; Answer, Mr. J. Lowther 1710

Army—Committee on Service of Officers Under Age—Question, Colonel Arbuthnot; Answer, Colonel Loyd Lindsay 1710

Poor Law—Catholic Paupers in Walsall Workhouse—Questions, Mr. Sullivan; Answer, Mr. Sclater-Booth 1710

Island of Cyprus—Forced Labour—Question, Mr. Goldney; Answer, Mr. Bourke 1711

The Royal Irish Constabulary—Question, Major O'Beirne; Answer, Mr. J. Lowther 1712

Sir Bartle Frere—Letter of the Queen—Question, Mr. Hutchinson; Answer, Sir Michael Hicks-Beach 1713

Turkey—Asia Minor—Consular Appointments—Questions, Mr. J. Holms, Mr. Childers, Mr. Dodson; Answers, Mr. Bourke, The Chancellor of the Exchequer 1713

South Africa—The Zulu War—Sir Bartle Frere's Instructions—Questions, Mr. John Bright, Mr. W. E. Forster, Mr. Sullivan; Answers, The Chancellor of the Exchequer, Colonel Loyd Lindsay .. 1714

Contagious Diseases Acts—The Select Committee—Questions, Sir Harcourt Johnstone, Mr. J. Tremayne; Answer, Colonel Loyd Lindsay 1715

Army Clothing Factory, Pimlico—Question, Mr. Mundella; Answer, Lord Eustace Cecil 1716

The Charity Commission—The Twenty-sixth Report—Question, Sir Charles W. Dilke; Answer, Mr. Assheton Cross 1717

The Charity Commission—Proposed Scheme for Defraying Expenses—Question, Mr. W. H. James; Answer, Sir Henry Selwin-Ibbetson .. 1717

Reports of the Registrars General for Ireland and Scotland—Question, General Sir George Balfour; Answer, Mr. Sclater-Booth .. 1717

Foreign and Colonial Policy of the Government—Notice of Motion of Sir Wilfrid Lawson—Observations, Question, The Marquess of Hartington; Reply, Sir Wilfrid Lawson 1718

The Greek Frontier—Conference of Ambassadors at Constantinople—Question, Mr. Monk; Answer, Mr. Bourke 1719

Criminal Law—Case of Thomas Moran—Question, Dr. Kenealy; Answer, Mr. Assheton Cross 1720

Parliament—Order of Business—Questions, Mr. Puleston, Mr. A. Mills; Answers, Mr. W. H. Smith, The Chancellor of the Exchequer .. 1720

Prosecution of Offences Bill—Observations, Question, Mr. Newdegate; Answer, Mr. Assheton Cross; Observations, Mr. Chamberlain, The Chancellor of the Exchequer 1721

Medical Act Amendment Bill—The Medical Council—Question, Mr. W. E. Forster; Answer, Lord Gerge Hamilton 1724

ORDERS OF THE DAY.

Glasgow Municipal Extension, &c. Bill—

Special Report read, and *considered* 1724

Moved, "That, having heard the Special Report of the Committee, the House is of opinion that a breach of privilege has been committed, and that the parties by whom the Petition in question was prepared are liable to be dealt with by the House in respect thereof, but that under the circumstances it is not necessary to proceed further in the matter,"—(*Admiral Egerton.*)

After short debate, Resolution *agreed to.*

Ways and Means—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" .. 1729

After debate, Motion *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Resolved, That it is expedient to amend the Laws relating to the Customs and the Inland Revenue.

Resolution to be reported *To-morrow*, at Two of the clock; Committee to sit again upon *Wednesday*.

Criminal Code (Indictable Offences) Bill [Bill 117]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 1750

After debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Prosecution of Offences Bill [Bill 68]—
Bill, as amended, *considered* 1773
Bill to be read the third time *To-morrow,* at Two of the clock.

Game Laws Amendment (Scotland) Bill [Bill 143]—
Order for Committee read 1775
Moved, "That it be an Instruction to the Committee, That they have power to extend the operation of the Bill to the whole of the United Kingdom,—(*Mr. P. A. Taylor.*)
Motion *agreed to* :—Bill *considered* in Committee.
Committee report Progress; to sit again upon *Thursday.*

Marriages Confirmation (Her Majesty's Ships) Bill [Bill 149]—
Order for Second Reading read 1778
After short debate, Bill read a second time, and *committed* for *To-morrow.*

Pier and Harbour Orders Confirmation (No. 1) Bill and Pier and Harbour Orders Confirmation (No. 2) Bill—
Ordered, That the Pier and Harbour Orders Confirmation (No. 1) Bill and the Pier and Harbour Orders Confirmation (No. 2) Bill be committed to the same Committee.
Instruction to the Committee, That they have power to consolidate the two Bills into one Bill,—(*Mr. John G. Talbot.*)

Local Government (Poor Law) Provisional Orders Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 155] 1780

Local Government Provisional Orders (Axminster Union, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 154] .. 1780

Courts of Justice Building Act (1865) Amendment Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*); *presented,* and read the first time [Bill 156] .. 1781

LORDS, TUESDAY, MAY 6.

SOUTH AFRICA—THE ZULU WAR—INSTRUCTIONS TO SIR BARTLE FRERE—Question, Observations, Earl Granville; Reply, Earl Cadogan:—Short debate thereon 1781

Letterkenny Railway Bill—
Moved, "That the Bill be re-committed,"—(*The Viscount Lifford*) .. 1785
After short debate, on Question? *Resolved* in the *Negative.*

Marriage with a Deceased Wife's Sister Bill (No. 51)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Houghton*) .. 1789
Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day six months,")—(*The Lord Bishop of London.*)
After short debate, on Question, That ("now") stand part of the Motion? Their Lordships *divided*:—Contents 81, Not-Contents 101; Majority 20.
Division List, Contents and Not-Contents 1804
Resolved in the *Negative*; and Bill to be read 2ª *on this day six months.*

COMMONS, TUESDAY, MAY 6.

PRIVATE BUSINESS.

Blackburn and Over Darwen Tramways Bill (by Order)—
Order for Second Reading read 1806
After short debate, Bill read a second time, and *committed.*

QUESTIONS.

INDIA (FINANCE, &c.) — TWO MILLION LOAN — Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer 1816

TREATY OF BERLIN—THE GREEK FRONTIER—Questions, Mr. Monk, Lord Edmond Fitzmaurice; Answers, Mr. Bourke 1816

ORDER OF THE DAY.

Valuation of Property Bill [Bill 71]—

Bill *considered* in Committee [*Progress* 21*st March*] 1818

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

BREACH OF PROMISE—RESOLUTION—

Moved, "That, in the opinion of this House, the action of Breach of Promise of Marriage ought to be abolished except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss," —(*Mr. Herschell*) 1867

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the injury sustained by Breach of Promise of Marriage cannot be weighed by the standard of pecuniary loss alone, and that the limitation of the action in the manner proposed by the Resolution would be very undesirable,"—(*Sir Eardley Wilmot*,) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 106, Noes 65; Majority 41.—(Div. List, No. 79.)

Main Question put, and *agreed to*.

JURORS' REMUNERATION (IRELAND)—RESOLUTION—

Moved, "That Jurors in Ireland should be remunerated for the cost to which they are frequently put under the present Law,"—(*Major Nolan*) 1887

After short debate, Motion, by leave, *withdrawn*.

UNIVERSITY EDUCATION (IRELAND) — Observations, The O'Conor Don; Reply, The Chancellor of the Exchequer; Observations, The Marquess of Hartington 1895

Trustees' Liability Bill—*Ordered* (*Sir George Bowyer, Sir Eardley Wilmot, Mr. Serjeant Simon*); *presented*, and read the first time [Bill 157] 1897

COMMONS, WEDNESDAY, MAY 7.

PARLIAMENT — BUSINESS OF THE HOUSE — Observations, Lord Edmond Fitzmaurice 1898

Moved, "That this House do now adjourn,"—(*Lord Edmond Fitzmaurice:*)

After short debate, Motion, by leave, *withdrawn*.

ORDERS OF THE DAY.

Volunteer Corps (Ireland) Bill [Bill 5]—
Moved, "That the Bill be now read a second time,"—(*Mr. O'Clery*) .. 1903
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 28th May.

Artizans' Dwellings Act (1868) **Extension Bill** [Bill 31]—
Moved, "That the Bill be now read a second time,"—(*Mr. W. M. Torrens*) 1936
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Friday*.

MOTIONS.

Salmon Fishery Law Amendment Bill—*Ordered* (*Mr. Joseph Cowen, Mr. Edward Ridley, Sir Arthur Middleton, Mr. Hamond*); *presented,* and read the first time [Bill 162] 1943

Tramways (Ireland) Acts Amendment Bill—*Ordered* (*Mr. Collins, Mr. Shaw, Mr. Bruen, Mr. Cogan, Mr. Gray*); *presented,* and read the first time [Bill 163] .. 1943

Local Government Provisional Order (Cartworth) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 158] 1943

Local Government Provisional Order (Artizans' and Labourers' Dwellings) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 159] 1944

Local Government Provisional Orders (Castleton by Rochdale, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 160] .. 1944

Local Government (Highways) Provisional Orders (Buckingham, &c.) Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 161] .. 1944

LORDS, THURSDAY, MAY 8.

SOUTH AFRICA—THE ZULU WAR—RE-INFORCEMENTS—Question, Lord Truro; Answer, Viscount Bury 1945

Habitual Drunkards Bill (No. 26)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Shaftesbury*) .. 1945
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, THURSDAY, MAY 8.

QUESTIONS.

CYPRUS—IMPORT DUTIES ON GRAIN—Question, Mr. Potter; Answer, The Chancellor of the Exchequer 1957
ARMY—FIELD OFFICERS—Question, Mr. Dease; Answer, Colonel Stanley 1958
INDIA (FINANCE, &c)—LOANS—Question, Sir George Campbell; Answer, Mr. E. Stanhope 1958
INDIA (FINANCE, &c.)—SILVER—THE EXCHANGE—Question, Mr. O'Donnell; Answer, Mr. E. Stanhope 1959

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COLONY OF VICTORIA—THE CONSTITUTIONAL CRISIS—Question, Mr. A. Mills; Answer, Sir Michael Hicks-Beach 1959

SOUTH AFRICA—THE ZULU WAR—Question, Mr. Richard; Answer, Sir Michael Hicks-Beach 1960

SOUTH AFRICA—SIR BARTLE FRERE—THE QUEEN'S LETTER—Question, Dr. Kenealy; Answer, Sir Michael Hicks-Beach 1960

SOUTH AFRICA—THE ZULU WAR—LOSS OF THE "CLYDE"—Question, Mr. Dillwyn; Answer, Colonel Stanley 1961

EAST INDIA (DUTIES ON COTTON GOODS)—Question, Sir George Campbell; Answer, Mr. E. Stanhope 1961

ARMY DISCIPLINE AND REGULATION BILL—MILITARY COURTS OF INQUIRY—Question, Sir Henry Havelock; Answer, Colonel Stanley .. 1962

PARLIAMENT — PRIVILEGE — COLONIAL AGENTS GENERAL — Question, Sir Joseph M'Kenna; Answer, The Chancellor of the Exchequer .. 1962

CYPRUS—CONDITION OF THE POPULATION—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1962

SOUTH AFRICA—THE ARMY MEDICAL DEPARTMENT—Observations, Question, Dr. Ward; Reply, Colonel Stanley 1963

PARLIAMENT—THE VACANT SEATS—Questions, Mr. Rylands, Mr. Hibbert; Answer, The Chancellor of the Exchequer 1964

SOUTH AFRICA—RE-INFORCEMENTS FOR THE CAPE—Question, Sir Trevor Lawrence; Answer, Colonel Stanley 1964

SOUTH AFRICA—THE GALEKA AND GAIKA WARS—PRISONERS OF WAR—Question, Mr. O'Donnell; Answer, Sir Michael Hicks-Beach .. 1965

CONTAGIOUS DISEASES (ANIMALS) ACT, 1878—AMERICAN PIGS—Question, Colonel King-Harman; Answer, Lord George Hamilton .. 1966

THE AUSTRALIAN COLONIES—MARITIME AND LAND DEFENCES—Question, Colonel Arbuthnot; Answer, Sir Michael Hicks-Beach .. 1966

DOMINION OF CANADA—LIEUTENANT GOVERNOR LETELLIER DE ST. JUST—Question, Mr. E. Jenkins; Answer, Sir Michael Hicks-Beach .. 1967

PARLIAMENT—BUSINESS OF THE HOUSE—Observations, The Chancellor of the Exchequer 1967

ORDERS OF THE DAY.

Army Discipline and Regulation Bill [Bill 88]—

Bill *considered* in Committee [*Progress* 1*st May*] 1968

After long time spent therein, Committee report Progress; to sit again upon *Monday* next.

Summary Jurisdiction (*re-committed*) **Bill** [Bill 138]—

Order for Committee read 2048

Bill *considered* in Committee.

Committee report Progress; to sit again *To-morrow.*

Dogs Regulation (Ireland) Act (1865) Amendment Bill [Bill 129]—

Moved, "That the Bill be now read a second time,"—(*Mr. J. Lowther*) 2049

After short debate, Second Reading *deferred* till *Thursday* next.

Marriages Confirmation (Her Majesty's Ships) Bill [Bill 149]

Moved, "That the Bill be now read the third time,"—(*Mr. Algernon Egerton*) 2050

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Courtney,*)—instead thereof.

Marriages Confirmation (*Her Majesty's Ships*) *Bill*—continued.

Question proposed, "That the words proposed to be left out stand part of the Question:"—*Moved,* "That the Debate be now adjourned,"—(*Sir Charles W. Dilke*:)—After short debate, Question put:—The House *divided;* Ayes 22, Noes 47; Majority 25.—(Div List, No. 82.)

Question again proposed, "That the words proposed to be left out stand part of the Question:"—*Moved,* "That this House do now adjourn,"—(*Mr. Hopwood*:)—Question put:—The House *divided;* Ayes 19, Noes 49; Majority 30.—(Div List, No. 83.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—*Moved,* "That the Debate be now adjourned,"—(*Mr. Dillwyn*:)—Question put, and *agreed to*:—Debate *adjourned* till *To-morrow.*

SUGAR INDUSTRIES—

Nomination of Select Committee 2055

After short debate, Nomination *postponed.*

WEST INDIA RELIEF COMMISSION [LOANS, &C.]—

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the determination of the West India Relief Commission, the transfer of its powers to the Public Works Loan Commissioners, and the remission of certain sums remaining unpaid in respect of Loans by the said Commission; also the payment, out of moneys to be provided by Parliament, of any sums at present in the hands of the West India Relief Commissioners which may hereafter be claimed by the persons entitled thereto.

Resolution to be reported *To-morrow.*

Hares (Ireland) Bill—*Ordered* (*Mr. Richard Power, Colonel King-Harman, Mr. Shaw, Mr. Herbert, Mr. French*); *presented,* and read the first time [Bill 165] .. 2056

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

SAT FIRST IN PARLIAMENT.

MONDAY, MAY 5, 1879.

The Lord Dinevor, after the death of his Father.

COMMONS.

NEW WRITS ISSUED.

MONDAY, APRIL 7.

For *Cockermouth*, *v.* Isaac Fletcher, esquire, deceased.

THURSDAY, APRIL 17.

For *Cumberland County* (*Eastern Division*), *v.* the Hon. Charles Wentworth George Howard, deceased.

FRIDAY, APRIL 25.

For *Clare County*, *v.* Sir Bryan O'Loghlen, Attorney General of the Colony of Victoria.

THURSDAY, MAY 1.

For *Canterbury*, *v.* Lewis Ashurst Majendie, esquire, Chiltern Hundreds.

NEW MEMBERS SWORN.

MONDAY, APRIL 7.

Longford County—Justin M'Carthy, esquire.

FRIDAY, APRIL 25.

Cumberland (*Eastern Division*)—George James Howard, esquire.

MONDAY, APRIL 28.

Cockermouth—William Fletcher, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SIXTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 5 DECEMBER, 1878, IN THE FORTY-SECOND YEAR OF
THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, 31*st March*, 1879.

MINUTES.] — SELECT COMMITTEE — *Report*— Tramways.

PUBLIC BILLS — *First Reading* — Great Seal* (38).

Second Reading—Bankers' Books (Evidence) * (24).

Committee—Report—Oyster and Mussel Fisheries Order (Blackwater, Essex) * (29).

Third Reading—Supreme Court of Judicature Acts Amendment (11); Medical Act, 1858, Amendment * (37), and *passed*.

PARLIAMENT—THE EASTER RECESS. OBSERVATION.

THE EARL OF BEACONSFIELD said, it might be for the convenience of their Lordships to know that the Government proposed that the House should rise for the Easter Recess on the 4th, and re-assemble on the 21st, of April.

SOUTH AFRICA—THE ZULU WAR—THE RE-INFORCEMENTS.—QUESTION.

EARL DE LA WARR: I beg to ask the Under Secretary of State for the Colonies, If he has received any further communication respecting the state of affairs at the Cape?

EARL CADOGAN: My Lords, there has been received at the Colonial Office to-day a telegram from Madeira; and I cannot give the noble Earl a better answer than by reading it.

> "From High Commissioner, Maritzburg,
> To Secretary of State.
>
> "March 11.—'Tamar' arrived with upwards of 800 men of 57th Regiment on board, which, with Bradshaw's Naval Brigade from 'Shah,' a very fine body of men, will, I hope, enable Lord Chelmsford to insure communication with Pearson. Oham has not yet joined Wood, but seems to have effectually broken with Cetewayo—a very important defection."

ENGLAND AND SERVIA—TREATY OF COMMERCE.—QUESTION.

LORD BATEMAN asked the Secretary of State for Foreign Affairs, Whether the statement which was published in the "Morning Post" of Saturday last referring to the official publication of the Treaty of Commerce between England and Servia is correct; and, if so, whether the noble Marquess will define what was meant by the term "reciprocity?" He wished also to know, Whether there was any objection to lay the terms of such Treaty, or the Treaty itself, upon the Table of the House? The statement to which he had referred was in these terms—

> "England and Servia.—Belgrade, March 28.—The provisions of the Treaty of Commerce recently concluded with England are officially published to-day. The Treaty is based upon reciprocity with regard to exports, imports, and transit, in accordance with the most favoured nation clause."

The Marquess of SALISBURY: My Lords, it would be a cruel addition to the duties of the Foreign Office if it were called upon to interpret the telegrams that appear in the newspapers. With respect to the word "reciprocity," which seems to stick in the throat of my noble Friend, I shall not attempt the interpretation of the word. It lies entirely in the depths of the consciousness of the person who composed the telegram. I cannot find anything about it in the Treaty in question. The Treaty is a simple matter containing a clause called "the most favoured nation clause." I have this moment laid it on the Table of the House.

SUPREME COURT OF JUDICATURE ACT AMENDMENT BILL.—(No. 11.)

(*The Lord Chancellor.*)

THIRD READING.

Bill read 3^a (according to Order).

Lord DENMAN moved to insert the words—

> "That the definition of the quorum of three in the Supreme Court of Judicature Act be altered, so as to allow any three peers, of whom the Lord Chancellor or a deputy speaker must be one, to hear and vote on appeals in the House of Lords if the Lord Chancellor or deputy speaker presiding should wish for their attendance, instead of their dispersing after the hearing and joining in prayers."

The LORD CHANCELLOR said, the Bill dealt exclusively with the primary Courts of the country, and did not touch the jurisdiction of the House of Lords. It would, therefore, be out of the scope of the Bill to introduce an Amendment on the subject.

Motion (by Leave of the House) *withdrawn.*

Amendments made; Bill *passed,* and sent to the Commons.

SOUTH AFRICA—THE ZULU WAR—THE ARMY HOSPITAL CORPS.

QUESTION. OBSERVATIONS.

Lord DORCHESTER asked, Whether it is true as stated by a local newspaper that Colonel Pearson's column went into Zululand with only one military surgeon to two full battalions of troops, and whether the Army Hospital Corps is composed of lads about whose want of nerve and experience the doctors complain very bitterly? When he put the Notice on the Paper he thought that a direct denial should be published to the statements which had been made. To send one medical officer a distance of 40 miles from the base of operations in charge of 3,000 men—if that really was the case—would be a subject for severe remark, if not strong reprobation. One newspaper published in Natal said the expression of opinion was general as to the youth and inexperience and want of nerve—which he fancied was another term for incapacity—of those medical attendants who had been formed into a special corps. No branch of the military service called for more direct and immediate attention. He believed that the whole of the new medical system for the Army had been more unsuccessful than some other innovations which he had watched. The Army Hospital Corps had been a gigantic failure; and he hoped, before the close of the Session, there would be an ample discussion of the subject.

Viscount BURY said, that no Member of the House would dispute the proposition of his noble Friend, that their soldiers in the field deserved, and ought to have, the most skilled, the most careful, and the amplest medical attendance that could possibly be obtained. His noble Friend assumed the truth of the report, which he said he hoped would be contradicted. He asked if it was true that the column of Colonel Pearson had only one military surgeon to two full battalions of troops? Now, if his noble Friend had made the slightest inquiry at the Department which he (Viscount Bury) represented he would have received the most ample information to satisfy him that the statement was unfounded, and that his vaticinations were, on this occasion, entirely out of place. He had a statement showing the state of Colonel Pearson's column on the 21st December, 1878. At that date it consisted of:—Europeans, 1,400, with two Army medical officers and two Naval medical officers; Natives, 2,000, with three civil surgeons. The principal medical officer asked for three more medical officers for this column. Three more were at the time on their way to Natal, where they arrived on January 13, 1879. On the 20th of the same month one Medical Department officer and three civil surgeons arrived. With regard to the Hospital Corps, the noble Lord said that they were composed of boys.

Lord **DORCHESTER**: I quoted from a Natal paper.

Viscount **BURY**: The noble Lord asked if the corps was composed of lads without nerve or experience? He (Viscount Bury) had to answer that such was not the case. At that time—December, 1878 — there were at the Cape five officers and 142 non-commissioned officers and privates. Of these, there were only nine between the ages of 19 and 20. The majority were between 21 and 26, and above that age there were 60. The average age was 28. Of the 142, only 37 had not passed through a course of field and hospital instruction, and one-half of these were non-commissioned officers of long service—some 20 years—who had never had the opportunity of undergoing instruction. On the arrival of the re-inforcements now on their way to the Cape there would be an ample supply both of officers of the Medical Department and of the Army Hospital Corps; and so far from the men being unskilled men, they were extremely well-trained, and, with the exception of 37, who were mostly old non-commissioned officers, had passed through a detailed course of instruction.

GREAT SEAL BILL [H.L.]

A Bill to amend the Law respecting the manner of passing grants under the Great Seal, and respecting officers connected therewith—Was *presented* by The Lord Chancellor; read 1ª. (No. 38.)

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 31*st March*, 1879.

MINUTES.]—Select Committee—Public Accounts, Mr. Shaw *added.*

Public Bill—*First Reading*—Convention (Ireland) Act Repeal (No. 2) * [116].

QUESTIONS.

POOR LAW UNION (IRELAND)—COMMISSIONERS' REPORT.—QUESTION.

Mr. **MACARTNEY** asked the Chief Secretary for Ireland, Whether it is intended by Government to adopt any of the recommendations made by the Poor Law Union and Lunacy Inquiry Commissioners (Ireland), in their report recently presented to Parliament?

Mr. J. **LOWTHER**: Sir, the Report of the Commissioners alluded to by my hon. Friend contains some very important recommendations, involving a large expenditure of money, which will necessitate not only the careful consideration of the Irish Government, but also communication with other Departments, which is now in progress. When a decision has been arrived at, it will be communicated to the House.

POST OFFICE—BOOK-POST RATES.
QUESTION.

Mr. **LYON PLAYFAIR** asked the Postmaster General, Whether it is the case that for five years circulars printed by the papyrograph, the electric pen, and other mechanical devices for taking numerous impressions, have passed through the Post as printed matter, at Book Post rates, under the Treasury Warrant of 26th September 1870; whether a Post Office Circular of 11th February 1879, has intimated that this privilege is to be withdrawn; and, whether he would state to the House what compensating advantages to the public revenue are expected from this restriction which is calculated to have a repressive influence on scientific invention?

Lord **JOHN MANNERS**: Sir, for somewhat less than four years past circulars copied by papyrograph, and for somewhat less than three years past circulars copied by the fac-simile process, have been permitted to pass through the Post as printed circulars. The same privilege, however, having from time to time been claimed for other copying processes, more or less like these on the one hand, and on the other more or less like ordinary writing, it was found unsafe to persevere in this course; and the Law Officers of the Crown, having been consulted upon the subject, advised that the Treasury Warrant of the 26th of September, 1870, did not admit of any of these processes being regarded as printing, engraving, or lithographing. A notice was accordingly issued to the public on the 25th of February, 1879, to the effect that only such circulars as may be printed with ordinary type—as in a book, or engraved, or lithographed—will hereafter be regarded as printed circulars. If circulars copied by the new processes were allowed to pass at the book-rate, it would not be possible for the officers of the Department to distinguish these from written circulars, nor, consequently, from ordinary written letters; so that, eventually, all letters placed in open wrappers would pass unchallenged at the book-rate, to the serious detriment of the Revenue.

Mr. LYON PLAYFAIR gave Notice that on a future day he would ask if the Government were aware that the United States had passed a Bill to enable all such matter to pass through the Post at book-post rates?

IRELAND—KILMAINHAM GAOL, DUBLIN — THE MEDICAL OFFICER.—QUESTION.

Mr. SULLIVAN asked the Chief Secretary for Ireland, What are the present arrangements as to a Medical Officer at Kilmainham Gaol, Dublin; if the position is vacant—Whether anyone and whom has been recommended by the Prison Board; and, is it true a prisoner died in the gaol within the past month whom the Medical Officer was not able to attend?

Mr. J. LOWTHER: Sir, the post of medical officer at Kilmainham Gaol is now vacant, the duties being temporarily discharged by an acting visiting medical officer. No successor has as yet been recommended by the Prisons Board. I cannot find that any prisoner died under the circumstances indicated by the hon. Gentleman. What may, perhaps, have led to such a report is that a prisoner was taken suddenly ill on the night of the 24th of February, when a neighbouring doctor—the nearest to the prison—was at once called in, instead of waiting till the medical officer of the gaol could be procured. The man died the following day, previous to which he was visited by the gentleman who was temporarily performing the duty.

ARMY—ADJUTANTS OF AUXILIARY FORCES.—QUESTION.

Colonel NAGHTEN (for Viscount Emlyn) asked the Secretary of State for War, Whether, considering that all Adjutants of Auxiliary Forces have at present the same retirement, the proposed new scale recommended by the Volunteer Committee for Volunteer Adjutants will be granted to all Adjutants of Auxiliary Forces alike?

Colonel STANLEY, in reply, said, he was not able at present to give a definite answer. With regard, however, to those officers previously on battalion allowance on a higher scale, it was matter for consideration whether they should be permitted to profit by the improved allowance now made.

POST OFFICE—THE LOWESTOFT DISTRICT.—QUESTION.

Lord RENDLESHAM asked the Postmaster General, Whether it is true that letters posted in Ipswich for Lound and other villages in the Lowestoft district on a Friday night are often not delivered till Monday morning; and if this is the case, does he see his way to a better arrangement of the postal service in that district?

Lord JOHN MANNERS: Sir, it is true that the delivery of letters in the Lowestoft district is in the condition stated in the Question of the noble Lord. It is also true that no better arrangement can be effected without inconvenience to the inhabitants of the villages in that district. The present arrangement of sending off the rural letter-carrier to Lound and other villages on the same line of post, without waiting for the Ipswich mail, was made in consequence of a memorial from the inhabitants, who prefer a delivery of the bulk of their correspondence at an early hour to a later delivery, including a few letters from Ipswich.

INDIA — DIRECT COMMUNICATION WITH HER MAJESTY.—QUESTION.

MR. DILLWYN asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the following passage which appears in an article called "Plain words about the Afghan question," by Archibald Forbes, in the first number of a publication entitled "Time:"—

> "It is not generally known, but it is nevertheless true, that the Viceroy of India, following the example of Colonels Mansfield and Wellesley in the recent Russo-Turkish war, has maintained direct communication on the Anglo-Afghan imbroglio with Her Majesty the Queen. How copious and detailed this must have been may be judged from the fact that a single telegram from the Viceroy to the Queen, at an important and difficult crisis, was so long that the cost of it was eleven hundred rupees. Who paid for it, whether the Sovereign or the Viceroy, England or India, I know not; but I do know that it cost what I have stated;"

and, if so, whether he has ascertained if the allegation contained in that passage as regards direct communication between Her Majesty and the Viceroy is or is not substantially correct; and, whether, if he has not already made inquiries on the subject, he will do so and inform the House of the result?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I can give no information to the hon. Gentleman or the House on this subject, further than to say there is no kind of official communication between Her Majesty the Queen and the Viceroy of India. Letters have occasionally been written by the Viceroy, and by successive Viceroys, to the Queen, and no doubt letters have been written from the Queen to the Viceroys. Of those we know nothing, any more than we do of any private correspondence of Her Majesty.

MR. DILLWYN: In consequence of the answer I have received, I beg to give Notice that on some early day, if I can get a convenient opportunity, I shall call the attention of the House to the matter.

THE LONDON SCHOOL BOARD—TEMPORARY LOANS.—QUESTION.

SIR JAMES LAWRENCE asked the President of the Local Government Board, Whether it is true that the Local Government Board have required the London School Board to prosecute, at the expense of the ratepayers of the Metropolis, an appeal before the High Court of Justice, in order to obtain a decision as to the correctness of the opinion expressed by Her Majesty's Attorney General, that the School Board are empowered, under their Act of Parliament, to obtain temporary loans in order to enable the School Board to carry on its operations, while the amounts levied on the City of London and the Metropolitan parishes are being collected in the manner prescribed by Parliament?

MR. SCLATER-BOOTH, in reply, said, it was not the case that he or the Local Government Board had required the prosecution of this appeal at the expense of the ratepayers. It was true he had expressed an opinion that the question was one of very considerable importance; and, as high legal authorities differed about it, and as the legal advisers of the Local Government Board had a strong opinion on one side of the question, it was desirable that it should be settled by a proper authority. With regard to the costs, he had only stated that in the event of the costs being disallowed by the auditor he should, taking all the circumstances into consideration, order the surcharge to be remitted.

SIR JAMES LAWRENCE gave Notice that he should move for the Correspondence on the subject, including the opinion of the Attorney General.

EMPLOYERS' LIABILITY BILL—GOVERNMENT EMPLOYES.—QUESTION.

MR. BRUCE asked Mr. Attorney General, Whether the Employers' Liability Act is intended to apply to persons in the employment of the Government, such as the artizans in Her Majesty's Dockyards; and, if not, what is the reason for their being excluded from the benefits of the measure?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, the Employers' Liability Bill is not intended to extend to the Crown. The reason is this: By law, Her Majesty is not liable for the negligent acts of her servants, either to persons who are in her employ, or to those who are not. This being so, if the provisions of the Bill were to be made applicable to the Crown, the

Legislature would be creating an exception, instead of endeavouring to remove one. I may add that I believe in all cases of accidents happening in the Dockyards and similar works the sufferers are relieved and compensated for the injuries sustained by them, although Her Majesty is under no legal obligation to give such relief, or pay such compensation.

NAVY—THE GUNS OF THE "INDEPENDENCIA."—QUESTION.

ADMIRAL **EGERTON** asked the First Lord of the Admiralty, Whether the trial of the Whitworth guns, purchased with the ship then called "Independencia," promised on the 21st of March last year, has been made; and, whether he can state what were the nature and result of the trial, and what has become of the guns?

MR. **W. H. SMITH**: Sir, the guns purchased in the *Independencia* were tried at Shoeburyness for accuracy and endurance in July last. 119 rounds were fired from the 35-ton gun, when it was pronounced unfit for issue. Firing was continued up to 147 rounds, when the vent choked, and it was impossible to fire it any further without re-venting. The range and accuracy of the gun were reported to be good, but not superior to those of the service gun. The guns now remain in charge of the War Department, but no decision has been come to as to their ultimate disposal.

EGYPT—TAXATION.—QUESTION.

MR. **RALLI** asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have entered, or intend to enter, into any negotiations with the other European Powers, with a view of abrogating the privilege now enjoyed by their subjects resident in Egypt of exemption from taxation in that country?

MR. **BOURKE**: Sir, it would be going too far if I were to say that negotiations had been entered into with foreign Powers upon this subject, or, indeed, that Her Majesty's Government intend to enter into negotiations with foreign Powers on the subject; but the matter is certainly under the consideration of Her Majesty's Government, and I do not think I can go further than that at present.

CYPRUS—THE MEDITERRANEAN ISLANDS.—QUESTION.

SIR **JULIAN GOLDSMID** asked Mr. Chancellor of the Exchequer, What the examination was to which Lord Beaconsfield referred in the following words of his speech on Nov. 9th, 1878, viz.—

> "It was as a strong place of arms, for which it is admirably calculated by its geographical position and the variety of its resources that we fixed upon Cyprus, after having examined all the other islands in the east of the Mediterranean;"

whether any Reports or Papers were furnished to the Government upon the subject; and, whether he will lay such Reports or Papers upon the Table of the House?

THE **CHANCELLOR OF THE EXCHEQUER**: Sir, the Prime Minister, in the speech referred to, was alluding to confidential communications that had been made by confidential agents of the Government into the circumstances of a very considerable number of islands in the East of the Mediterranean. It was a figure of speech to say, "all the other islands." What was meant was, all that were at all worth examining. Those confidential reports embrace a considerable number of ports and stations in the islands of the Levant; but, being of a confidential character, they cannot, of course, be laid before the House.

WEST AFRICA—THE GAMBIA—THE ISLAND OF MATACONG.—QUESTION.

DR. **CAMERON** asked the Under Secretary of State for Foreign Affairs, If he can give the House any information relative to the statement published by the "Daily News" that the British Island of Matacong has been taken possession of by the French?

MR. **BOURKE**: Sir, we have made inquiries upon this subject, and cannot obtain information upon the report mentioned by the hon. Member at either the French Embassy, or from our Representatives abroad.

AFGHANISTAN—THE WAR—ADVANCE ON CABUL.—QUESTION.

MR. **ONSLOW** asked Mr. Chancellor of the Exchequer, Whether he can now, or on some day before the Easter recess, conveniently state to the House the present position of our negotiations with the authorities in Afghanistan; and, whether it is true that an advance has been ordered to Cabul?

THE CHANCELLOR OF THE EXCHEQUER: Sir, our communications with the authorities in Afghanistan are not in such a state at the present moment as to render it possible for us to bring the subject forward for discussion. It is a mistake to infer that because Major Cavagnari has returned from Cabul communications are broken off; that is not the case. Our Native Agent is there, and communications are still expected from Cabul. We have no information that any advance has been ordered.

ARMY—BRIGADE DEPOTS.—THE ESTABLISHMENT.—QUESTION.

MAJOR O'BEIRNE asked the Secretary of State for War, Whether any and what addition will be made to the numerical strength of non-commissioned officers and men of Brigade Depôts?

COLONEL STANLEY: In reply to the hon. and gallant Gentleman's Question, I have to say that it is not intended to increase the establishment of non-commissioned officers at the brigade depôts; because it is felt that that establishment, together with the Staff placed under the command of the officers, is amply sufficient for all purposes. As regards the rank and file, it is intended to increase the establishment of 15 depôts from 100 to 200 or 280 men. I have already explained why that has been done in the depôts where both battalions are at present abroad.

ARMY—PROMOTION—CAPTAIN AND BREVET-MAJOR CHARD.—QUESTION.

COLONEL ARBUTHNOT asked the Secretary of State for War, Whether Captain and Brevet Major Chard, when absorbed from supernumerary into the fixed establishment of Regimental Captains, will stand above those Captains who were senior to him as Lieutenants prior to his distinguished service at Rorke's Drift; if so, whether such supersession is not a breach of faith to officers who entered a seniority Service with the understanding that they could not be Regimentally superseded so long as the Corps continued to be constituted as it was at the time when they joined it; whether any instance can be quoted of an officer of any arm of the Service having been promoted for distinguished conduct in his own Regiment unless he was at the top of the rank in which he belonged; if it be intended that the new principle now adopted shall prevail in the future throughout all arms; and, whether he will endeavour to devise some machinery by which Major Chard and all others who eminently distinguish themselves as Lieutenants may receive their well merited promotion in the Army without prejudice to their seniors of the same rank and on the same Regimental list?

COLONEL STANLEY, in reply, said, the Question of his hon. and gallant Friend seemed to divide itself into five different heads, and it would be convenient if he answered it under those heads. In the first place, Lieutenant Chard would stand above those captains who were senior to him as lieutenants; and in regard to the alleged breach of faith, he had to state that no principle of absolute seniority was recognized by the Royal Warrant. Under Article 59 promotion must be by seniority; but, on the recommendation of the Commander-in-Chief, the Secretary of State had power to grant promotion. As to the question of precedent, there had been several instances—the cases of Colonel Hume, Sir Fenwick Williams, Sir Lintorn Simmons, and Sir Frederick Chapman being among the number. Whether it was intended that the new principle should prevail in the future throughout all arms was a question of policy which he could not reply to now. It must be left to be decided on each particular case. As to the last part of the Question, it was difficult to see how any machinery could be devised by which Major Chard and others, who eminently distinguished themselves as lieutenants, could receive promotion without prejudice to their seniors of the same rank and on the same regimental list. Supersession must be inevitable with selection for promotion. In this case no loss would accrue to others. Lieutenant Chard was trained as an Engineer, and promotion to any other service would take him out of his line; and I think it due to the officers of the Royal Engineers to say that, so far as I am aware, they, who are most interested in this matter, have not foreseen or raised any of the difficulties of the hon. and gallant Gentleman.

Colonel ARBUTHNOT trusted the House would, in common fairness, allow him to say that he had himself intended to make that observation. He took the full responsibility——

Mr. SPEAKER pointed out to the hon. and gallant Gentleman that he would not be in Order in pursuing the subject now.

Colonel ARBUTHNOT: I wish to ask you, Sir, whether the statement of my right hon. and gallant Friend is not calculated to prejudice me in the eyes of the House—[" Order! "]—and whether he has not made an insinuation that I was pressing a crotchet on the House? [" Order! "]

Mr. SPEAKER: I must remind the hon. and gallant Member that his remarks are entirely out of Order.

CRIMINAL LAW — CASE OF EDWARD HARRIS.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether the Commission of Inquiry instructed by him to examine into the case of Edward Harris, a cabman, convicted by the Clerkenwell Police Magistrate, and on whom an inquest was held, have yet issued their Report, and whether he will lay it upon the Table of the House and have it printed for the use of Members?

Mr. ASSHETON CROSS, in reply, said, there was no Commission of Inquiry in this case. He did make a strict inquiry into it, but not through a regular Commission, and he had, therefore, nothing to lay on the Table of the House. He would, however, tell the hon. Gentleman where he thought the real fault lay in the case, and it was quite as well that it should be known. The cabman, unfortunately, fell from his cab, and there was no doubt whatever that the fall was the cause of his death. It was proved, in his opinion, to be entirely the fault of one of the policemen at the station that this man was brought before the magistrate and treated as he was. The policeman, in his opinion, committed two breaches of discipline. In the first place, he did not report the fall, which he undoubtedly ought to have done. He said nothing about it till afterwards. In the next place, he did not do that which undoubtedly it was his absolute duty to do—namely, having seen the fall, to send for the divisional surgeon immediately. If the policeman had done his duty, what took place the next day before the magistrate never would have occurred. The moment he found what had taken place, he gave orders to the Superintendent of Police to deal with the policeman.

POST OFFICE—POST CARDS TO FOREIGN COUNTRIES.—QUESTION.

Mr. SEELY asked the Postmaster General, Whether it is true, as stated in the "Standard" of yesterday, that the rate of postage on post cards between Great Britain and all the States of Europe, Turkey in Asia, the United States of America, Canada, and several other Countries, will be reduced to one penny on the 1st of April next; and, whether it is intended to extend the same advantages to all the Colonies and Dependencies of the British Crown?

Lord JOHN MANNERS: Sir, on the 1st of next month the charge upon a post-card sent from the United Kingdom to any foreign country or British Colony comprised within the Postal Union, to which the single letter rate of postage is 2½*d.*, will be reduced to one penny. The charge for a post-card sent to any foreign country or British Colony in the Postal Union, to which the single letter rate of postage is about to be reduced to 4*d.*, will from the same date be reduced to 1½*d.*, with one penny additional when sent *viâ* Brindisi. Post-cards cannot be sent to any Colony or Dependency of the British Crown which is not in the Postal Union.

EDUCATION DEPARTMENT—THE NEW CODE.—QUESTION.

Mr. JAMES STEWART asked the Vice President of the Council, When the new Education Code, which was presented on the 28th of February, will be in the hands of Members?

Lord GEORGE HAMILTON: Sir, the new Education Code has for some time past been in the hands of the printers, and will very shortly be distributed. The delay which has occurred was in consequence of certain questions arising from the Report of the Auditor General to the Public Accounts Committee as to the powers of the Education Department to interpret their own Code; and until those questions had been discussed, it was difficult for us to decide whether any changes were necessary or not in the phraseology of the Code.

RUSSIA—THE PLAGUE—QUARANTINE.

QUESTION.

Mr. GOURLEY asked the Vice President of the Privy Council, If the Order, dated 22nd March, relative to vessels arriving from the Baltic, Black Sea, Sea of Azoff, and Sea of Marmora, is to be enforced against all vessels arriving from those places or only against such as may arrive with plague on board; and, what measures are intended to be adopted on the arrival of ships from the aforementioned places in order to ascertain (without detention) how far they are free from infectious diseases?

Lord GEORGE HAMILTON: Sir, the Order in Council of the 22nd of March renders all vessels arriving from any of the seas specified in the Order liable to quarantine, and subjects them to the provisions of the Act 6 Geo. IV., c. 78. On arrival at British ports, the masters of such vessels are called upon by the officers of Customs to answer certain quarantine questions as to the health of all on board, and if there be no ground for suspecting plague on board, they are at once released from the restraint of quarantine.

PRISONS ACT—EXPENSES OF PRISONERS.—QUESTION.

Mr. O'SULLIVAN asked the Secretary of State for the Home Department, If, under the Prisons Bill of 1877, the Government are bound to pay all expenses incurred in respect of prisoners from the moment they are arrested until the death or discharge of such prisoners?

Mr. ASSHETON CROSS: Sir, the Government do not pay the expenses of a prisoner until he has entered the prison. They have nothing to do with bringing him to the prison; but from the moment he enters the prison all expenses incurred with respect to him are borne by the Government, except the expense of subsequently bringing him back to prison, either on remand, or on his committal for trial.

TURKEY—MURDER OF MR. OGLE.

QUESTIONS.

Mr. H. SAMUELSON asked Mr. Chancellor of the Exchequer, If he can now inform the House when the new inquiry, promised in August last, into the death of Mr. Charles Challoner Ogle, late Correspondent of the "Times" in Thessaly, who was murdered and mutilated in the neighbourhood of Volo in March 1878, will take place; who will conduct the investigation; and what steps will be taken to induce the attendance and to secure the safety of witnesses, who were prevented by fear of consequences from giving evidence at the former inquiry?

The CHANCELLOR of the EXCHEQUER: Sir, with reference to the delay which has occurred in regard to taking steps for further inquiry into this case, I must remind the House that the district in which the death happened has been, and still is, in a condition of disturbance, there having been incursions of armed bands quite recently. It is, in fact, a district which is in a very touchy state, and there is considerable risk in taking any measures which might be calculated to cause undue excitement. It will be remembered that this district is one of those which it has been proposed that Turkey should cede to Greece; and as the arrangements with regard to the Greek Frontier have not yet been carried into effect, it might lead to grave complications if any steps tending to create excitement were taken at the present time. That is the reason why we have not been able to take any steps towards inducing the Porte to grant the new inquiry; and at the present moment I am unable to say how soon that difficulty will be removed.

Mr. H. SAMUELSON wished to know, Whether the Government had finally abandoned their intention of fulfilling the promise they gave to him in August last?

The CHANCELLOR of the EXCHEQUER: Certainly not. They adhere to that promise in the spirit in which it was made.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

In reply to Mr. Knatchbull-Hugessen,

Mr. SCLATER-BOOTH, said, he could not fix a day for the second reading of the County Boards Bill, but that there was no intention of taking it until after Easter.

In reply to Mr. Serjeant SIMON,

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, he hoped to be able to proceed with the second reading of the Bankruptcy Bill on Thursday next. It would be in the hands of hon. Members to-morrow. He would undertake not to bring it on after an unreasonable hour—say 12 o'clock.

In reply to Mr. WHITWELL,

THE CHANCELLOR OF THE EXCHEQUER said, he feared there was not much prospect of their being able tot ake the Public Works Loans Bill before Easter.

SIR JULIAN GOLDSMID said, that as he understood that 22 Liberal Members intended speaking in the adjourned debate on the Zulu War, and as many as six or eight Conservative Members, he should wish to ask the Chancellor of the Exchequer, on what day he proposed that the debate should be resumed, if by any chance those 30 speeches could not be crowded into that evening's debate?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he did not know that he had really any right to say anything at all on the subject. He hoped the speeches would not be of very great length. The discussion had already occupied two nights, and he hoped that the debate would be concluded that evening. He was afraid he should not be able to offer Thursday, as the Financial Statement was fixed for that night, and he could not alter the arrangement without serious inconvenience to the public service. The only thing would be to ask hon. Gentlemen who had Notices on the Paper for to-morrow to waive their rights, in order that the debate might then be taken, should it not be finished that evening. He was afraid, however, they would not be disposed to comply.

MR. E. JENKINS wished to know, as it might considerably affect the course of that night's debate, what opportunity the Government proposed to give for the discussion of the Motion he had placed on the Paper in reference to South Africa? Not having "grown grey in the public service," he felt he had no claim upon Ministers for facilities in that way; but if the Government would give a day for the discussion, he should be prepared to place the opening of the question in the hands of any other hon. Member. He had written to the noble Lord on the front Opposition Bench (the Marquess of Hartington) in reference to the subject, but had received no reply.

THE CHANCELLOR OF THE EXCHEQUER said, he could hardly answer the Question without Notice. Perhaps it would be better they should finish the present debate before making any further arrangements?

MR. E. JENKINS said, he simply wished to point out that the question had already been opened up by the Motion and Amendments before the House; and it would simplify matters, and perhaps prevent some difficulty arising in the debate, if the Government could give a definite answer to his question.

THE CHANCELLOR OF THE EXCHEQUER said, he felt a difficulty in making any promise on the subject. He had no doubt the hon. Member would be able to find an opportunity of bringing the Motion forward within a reasonable time. Otherwise, of course, it would be the desire of the Government to assist him; but, meantime, it was not possible to make any definite arrangements.

SIR JULIAN GOLDSMID, in consequence of the answer of the Chancellor of the Exchequer, wished to ask the hon. Member for East Gloucestershire (Mr. J. R. Yorke), Whether, in the event of the debate not being concluded at the present sitting, he intended to give way with his Motion for to-morrow in reference to Wellington College?

MR. J. R. YORKE, in reply, said, he was not aware that there was any general wish on the part of the House to extend the debate beyond that evening. In any case, the subject he proposed to bring forward to-morrow was one of very considerable importance; and those with whom he acted in the matter were of opinion that further delay in the consideration of the subject would be very objectionable. It was not, therefore, his intention to give way.

ORDERS OF THE DAY.

SOUTH AFRICA—THE ZULU WAR—SIR BARTLE FRERE.

RESOLUTION. ADJOURNED DEBATE.

[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [27th March], "That this House, while willing to support Her Majesty's Government in all necessary measures for defending the possessions of Her Majesty in South Africa, regrets that the ultimatum which was calculated to produce immediate war should have been presented to the Zulu King without authority from the responsible advisers of the Crown, and that an offensive war should have been commenced without imperative and pressing necessity or adequate preparation; and this House further regrets that after the censure passed upon the High Commissioner by Her Majesty's Government in the Despatch of the 19th day of March 1879, the conduct of affairs in South Africa should be retained in his hands."—(*Sir Charles W. Dilke.*)

And which Amendment was,

At the end of the Question, to add the words "and that a war of invasion was undertaken with insufficient forces, notwithstanding the full information in the possession of Her Majesty's Government of the strength of the Zulu Army, and the warnings which they had received from Sir Bartle Frere and Lord Chelmsford that hostilities were unavoidable."—(*Colonel Mure.*)

Question again proposed, "That those words be there added."

Debate *resumed.*

MR. COURTNEY said, that the issue which was in the hands of the House, and to which he desired to address himself more especially, was whether Her Majesty's Government were or were not deserving of censure for not having recalled Sir Bartle Frere? The Government had admitted the gravity of the circumstances by having themselves censured the High Commissioner for the action he had taken in the prosecution of his policy as regarded the Ultimatum; but they retained him in his important position, although they were not prepared to defend that policy itself. He held that the Government must be blamed for not having recalled Sir Bartle Frere, whose policy they were not prepared, on the one hand, to condemn, or, on the other, to defend. Whilst, however, arraigning Her Majesty's Government for not having arrived at a conclusion as to the policy of the High Commissioner, he must at once make a very great admission. He admitted that in their hesitation, in their reluctance to form any judgment upon the policy of Sir Bartle Frere, in their desire, as far as possible, to put off the moment of decision, they were not sinners above all Galileans. They desired to defer decision until something more made it inevitable; whereas those who supported the Resolution believed that the honour and interests of the country required that he should be recalled immediately. The policy of the Government was very much like the conduct of a great number of hon. Members of the House and of a very large proportion of the inhabitants of this country, who for a long time were willing to let the High Commissioner follow out his own course, and who might have been still willing to let him alone, but for what must be called a preventible accident. In the remarks which he proposed to address to the House, he would not enter into the question which, in his opinion, had been obtruded into the debate—he was not going to discuss the cause of the disaster at Isandlana. He would not presume to condemn the General, whose defence was not yet in their hands. Still less would he pretend to pass judgment upon those who were dead, and could never speak for themselves; and he very deeply regretted that a large—he could scarcely say a generous—construction of the words of the Motion should have been held to justify the introduction into the debate of a subject the discussion of which ought never to have formed part of it. With regard to Sir Bartle Frere, it was clear that up to the last moment—indeed, until the disaster occurred—the Government were willing to withhold their judgment upon the action of the Lord High Commissioner, as they still withheld their judgment upon his policy. In his extraordinary despatch of the 23rd of January, the Colonial Secretary expressed a little surprise—a very faint surprise—at this action; but he went on to say that the High Commissioner was on the spot, that he probably knew more of the whole subject than they did at home, and that they should continue to trust him in the future as they had before. He should like to hear from some right hon. Gentleman opposite an explanation of that despatch. There was another reason why he refrained, personally, from fixing upon the Government the extreme censure to which they might be exposed. They were not committed to any approval of the policy of Sir Bartle Frere. They distinctly refrained from approval, as they had from condemnation. It was not, of course, the position a Government ought to occupy; but still it was a position which he should remember in that debate, because it left it open to him to hope that some Members of the Government, by seriously considering the policy of the High Commissioner, by realizing the end to which he was hurrying the country, might find reason to condemn it, and might resolve to abandon it—which they would hesitate to do if they felt that it was entirely pressed home to them. For his part, he was willing and desirous of giving them every opportunity of retreating from a position which was certainly damaging to them, but which was much more damaging to the honour and interests of the country. The question which he wished to examine was one which preceded the disaster at Isandlana, and might, perhaps, survive the extinction of the present Zulu polity, and it was the only question of interest to them as regarded the future; and he was glad to think that his observations would be shortened, owing to the able and exhaustive speeches of his hon. Friend the Member for Chelsea (Sir Charles W. Dilke) and of the hon. Baronet the Member for Midhurst (Sir Henry Holland), the latter of which was more impressive, because it was evident that it was delivered from an enforced conviction which compelled the speaker to separate, although with great reluctance, from his Party. In dealing with this question it was necessary to refer to the situation in South Africa when Sir Bartle Frere first went out as Lord High Commissioner. At that time Confederation had been resolved upon, and the Transvaal was on the point of being annexed. The Government had determined to reverse a policy which for more than a quarter of a century had given us peace in South Africa. That policy had been one of strict limitation of our responsibilities aud of our dominions. The force of circumstances had compelled the Government of the day to review our position in that part of the world as far back as 1852, and they resolved that our possessions and responsibilities should be limited to Cape Colony and Natal, and they recognized the independence of the Orange Free State and of the Transvaal Republic. They saw that by so recognizing the independence of these two States they interposed between our possessions and the barbarism of Central Africa free and independent communities, to some extent civilized, however rude in their government and policy. Well, that policy, so adopted, was acted upon for nearly 30 years, when Her Majesty's Government resolved to abandon it. He had never protested, and did not then protest, against the admissibility of the principle on which the Transvaal was annexed. He was ready to allow that where a State contiguous to our own was so badly governed as to be a source of danger to ourselves, we might be justified in annexing it, and thus suppressing its independence and controlling its destiny. He was not prepared to contend that the annexation of the Transvaal was inadmissible in principle on the grounds which were put forward in justification of that step. Nor had he ever pretended that the Boers were immaculate in their dealings with their neighbours, or perfect in their self-government. But the notion that all the characteristics of European States should be found among rude farmers, severed from European thought and influence, whose literature was confined to the Bible—almost to the Old Testament—was, he maintained, an extravagant one. Neither history nor the knowledge of human nature justified a demand for highly-civilized qualities in such a community as the Boers. He had, however, contended, and still contended, that in spite of the defects of the Transvaal Republic we had no ground for the annexation of that territory, as the defects that existed did not constitute a sufficient reason, and as the annexation increased our responsibilities and exposed us to certain and immediate danger. We had taken upon ourselves the government of a country which we could not control on account of the extent of the territory, the sparseness of the population, and because the inhabitants were irreconcilably hostile to our dominion. Moreover, by doing so, we had exposed ourselves to the assumption of every border quarrel in which the Boers might have been engaged, seeing that by the annexation we made the Boers part of ourselves. In fact, we took over the responsibilities of the Boers without receiving from them any assurance of help, should we become involved in their disputes. These were the reasons why he opposed the annexation of the Transvaal, from which he believed that all our subsequent difficulties were derived. He did not say that those difficulties were the necessary consequences of the annexation, for time after time a *locus pœnitentiæ* had been presented to the Government; but he held that they were the natural consequences of the policy which had been followed. The Zulu War was only one episode of our bad South African policy, and of the dangers to which that policy might be destined to lead. In referring to the annexation of the Transvaal, he would shortly bring to the recollection of the House the specific grounds upon which the annexation was based. The Transvaal Republic had entered into a war with Secocœni, a war which we denounced as arising out of an unjustifiable encroachment, and because it was conducted with circumstances of unparalleled ferocity and cruelty through the employment of Swazi auxiliaries. Lastly, we had declared that imminent danger arose from that war, because, after being engaged in it, the Transvaal Forces were not successful and were obliged to retire. A peace had, indeed, been patched up before the annexation, and had, perhaps, precipitated it. It was argued, however, that the Transvaal Republic were unable to cope successfully with that war. Then there had been a war imminent between Cetewayo and the Transvaal Republic—a war which we had denounced as a war of aggression, and of which we had said, that if it did break out, it would result in disaster to the Transvaal Republic, and would expose ourselves to danger, and possibly to ruin. He would have to prove that this country, having annexed the Transvaal Republic, had taken up the bad work it had had in hand, and that it had almost irresistibly taken it up. This, perhaps, could scarcely be helped; it was almost a necessary consequence of the transactions that had taken place, and thus we had, he was going to say, stultified ourselves, but we had done worse than that—we had dishonoured ourselves, by showing in our conduct towards these Native Border Chiefs every fault for which we had denounced the Transvaal Republic, and which we had put forward as adequate reasons for suppressing that Republic. Sir Theophilus Shepstone had long been trusted as an Administrator in South Africa, and it was a remarkable thing that he was still so trusted now. For 20 years he had been Secretary for Native Affairs in South Africa, when there arose a difficulty with Langalibalele—a difficulty in which it was thought that he had acted quite wrongly, and he had come over here to justify his conduct. Before that occurrence he had behaved extremely well in his position; but in that business he seemed to have taken a course which one would have thought would have caused all confidence in him to be forfeited. He laid every justification of his course before Lord Carnarvon, and as he (Mr. Courtney) might have to refer to Lord Carnarvon before he had done, and might not be able to express any very high estimate either of his prescience or of his power, he was very glad to be able at this stage to pay a tribute of respect to his courage in this matter. Lord Carnarvon had looked into it very carefully, and having formed a conclusion which he (Mr. Courtney) believed to be thoroughly right, had stood to that conclusion in spite of every temptation to swerve from it, and nothing could do Lord Carnarvon more credit than the determination with which he had adhered to it. Yet it was remarkable that Sir Theophilus Shepstone had acquired such an influence over Lord Carnarvon that, after he had been adjudged wrong, he should have been sent out to South Africa to deal almost as he himself might think fit with the independent Republics existing there. His conduct in relation to the annexation of the Transvaal had been, at the outset, marred by two faults. He had gone out, and had neglected the conditions upon which his powers were issued. He had been told to satisfy himself that the people of the Transvaal themselves desired the annexation, and to obtain the concurrence of the Lord High Commissioner; but he had never obtained either the assent of the High Commissioner, or the consent of the people of the Transvaal. Although it was given out at the time that the latter were delighted with this annexation, he did not suppose there was a man in the House, and certainly not a man in the Cape, who thought so now. The evidence was complete and crushing that the people of the Transvaal had absolutely resisted the idea of annexation. It was a most extraordinary thing that an Agent who had shown such a want of discretion in the case of Langalibalele, and such a disregard of orders in connection with the annexation of the Transvaal, should still be retained in his post. The matter might, perhaps, be explained by the fact that a good deal of ignorance as to these South African affairs existed at home; and it was so very convenient, in the Colonial Office and elsewhere, to get hold of a man whom they believed to know everything about it, that they would not let him go, except under the direst necessity. Sir Theophilus Shepstone was thought to know everything about South Africa, and so, though he had acted wrongly again and again, he was still supported. What had been the conduct of Sir Theophilus Shepstone since the annexation? One of the grounds for annexation was the war waged by the Boers against Secocœni. If the annexation had, indeed, been permitted for the purposes and with the objects by which it was justified, if we had taken the place of the Government which we had denounced as pursuing a bad policy, surely the first thing Sir Theophilus Shepstone ought to have done would have been to represent the altered aspect of affairs to Secocœni, and say to him —"Our predecessors, the Government of the Transvaal, were perfectly unjustified in their attacks upon you; the peace that has been made is not a just one, and we will, therefore, remit the fine exacted from you and restore you to the condition which existed before the outbreak of hostilities." We denounced the Transvaal Republic for making the war; but Sir Theophilus Shepstone, instead of making friends with Secocœni, insisted upon the payment of the fine of 1,000 head of cattle which he had agreed to pay the Boers; and, as a consequence, the war, which had actually come to an end, broke out afresh, and was at the present moment simply suspended, only to be resumed when circumstances were favourable for the conduct of warlike operations. Speaking the other evening, the right hon. Gentleman the Secretary of State for the Colonies described this as a new war; but it was only an old war resumed, for if the Papers on the subject which had been written by Sir Theophilus Shepstone were read, it would be found that he regarded hostilities as simply suspended. An inter-tribal dispute had, indeed, arisen outside what we had held to be the true frontier of the Transvaal, and this was followed by the re-opening of the war, now suspended, but to be resumed at the earliest convenient moment. It was clear Sir Theophilus Shepstone from the first had determined to re-open the war. He had written that the peace was "in every respect unsatisfactory, humiliating, and damaging to the power of the Transvaal." Lord Chelmsford, moreover, had not regarded the present war as new. He had stated that "the legacy of trouble handed down from the former Government had demanded the presence of Colonel Rowlands." Much had been said as to the history of the war with Cetewayo, but little as to that with Secocœni. One thing was, however, abundantly clear — namely, that in both struggles our Forces had been compelled to retire after making a first attack, and that only renewed hostilities in greater force could give any hope of permanent success to our arms. The explanation of all this was that Sir Theophilus Shepstone had not the courage to take a straightforward course. Knowing that the Boers were most strongly opposed to British rule in the territory affected, he thought the only way of conciliating them was for us to take up their quarrels as the price of the transfer. Thus the injustice and wrong committed by the Boers was, so to speak, perpetuated. Had it not been, in fact, that Sir Theophilus Shepstone feared the resentment of the Boers, he might, at the outset of the transfer, have adopted a generous course. But the first wrong had brought on the second, and this was the almost inevitable result of Sir Theophilus Shepstone's policy. Then as to Cetewayo. What might have been expected after we took over the Transvaal? Up to the time of the annexation Sir Theophilus Shepstone had been a constant friend and ally of the Zulus. He had visited Cetewayo again and again, and had always declared that the claim of the King to the contested lands was right; but after the annexation of the Transvaal his tone entirely changed. He made no concessions, as he ought to have done, to Cetewayo of the lands to which his right had previously been admitted, and he became, in fact, a participator in the injustice of the Boers, whom, having first pronounced entirely in the wrong, he now found to be just as clearly in the right. It was clear that Cetewayo and the Zulus had to be coerced in order to make the Boers loyal. There was another point which deserved a passing comment. In the course of former difficulties our officials at the Cape, and among them Sir Theophilus Shepstone, denounced the Dutch for employing the Swazis as auxiliaries, on the ground that their conduct in war was most shocking and barbarous; but it was now found that we were anxious to employ these people against Cetewayo, and that the only complaint to be made against them was that they showed no particular readiness to serve, and were not likely to come in as auxiliaries until the first success had been achieved by the Imperial Armies. That first success had not been gained; and it would be matter for congratulation if this country were spared the dishonour of having these bloodthirsty Swazis as her allies. He would only say a word respecting the award of the Commissioners. That award was in favour of Cetewayo. But when the award was finally issued, it was found to assign the Sovereignty only of the disputed land to Cetewayo, subject, moreover, to the reservation by Sir Bartle Frere, that no act of Sovereignty in the land in dispute by Cetewayo should be exercised without the consent, and under the control, of the Resident who was to take up his abode in Cetewayo's Kingdom. At the same time, the award reserved to the Boers all their farms, thus depriving Cetewayo of all beneficial interest whatever. First, therefore, the Sovereignty only was given, and then this mere Sovereignty was controlled; and this was done, as Sir Bartle Frere explained, to teach the Zulu King the distinction between Sovereignty and rights of occupancy. He was inclined to think that the only lesson which Cetewayo would learn from this was, that there was no law like—

> "The good old rule, the simple plan,
> That they should take who have the power,
> And they should keep who can."

Let him say a few words upon the remarks of the right hon. Gentleman the Colonial Secretary. While dealing with this question, the right hon. Gentleman was pleased to be somewhat sarcastic upon two hon. Members on that side of the House, the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), and the hon. Member for Birmingham (Mr. Chamberlain), because of their refusal to admit the justification of the reservation of the rights of the Boer settlers. It was said that it was very extraordinary that the two hon. Members were very much disposed to protect Irish tenants in South Ireland, but not the rights of the Boer settlers in South Africa. It appeared to him (Mr. Courtney) that the reasoning of the Colonial Secretary had a good deal of simplicity about it. One thing was clear from this reasoning — the Colonial Secretary represented the two cases as parallel. [SIR MICHAEL HICKS-BEACH: No.] If not parallel, what was the point of the sarcasm levelled at the hon. Members? The right hon. Gentleman seemed to have been unconscious that his argument told against himself. He stood confessed guilty of inconsistency. He had not heard that the right hon. Gentleman was so very strong in his defence of the occupancy of Irish tenants; but if he was strong in the case of the Boers in South Africa, why not support the tenants in South Ireland?

SIR MICHAEL HICKS-BEACH explained that his contention was that the rights of the Boers were infinitely stronger than those to which he alluded elsewhere.

MR. COURTNEY said, suppose it was held that the rights of the Boers were stronger. It was a matter of principle, and whether these rights were stronger or weaker did not matter. The Colonial Secretary had, however, quite misunderstood his hon. Friends. They had never said the Boers were entitled to no protection. It was said that right and justice required that the rights of the Boers should be respected. He was not given to flattering the House; but one thing he should never hesitate to anticipate from it, and that was the most exact appreciation of the rights of property; and he believed in this instance there was not a Member present but must feel, as his hon. Friends contended, that the rights conceded to the Dutch Boers ought to have been protected, but protected at the cost of the Transvaal Government—that was, at the cost of ourselves—instead of at the cost of Cetewayo. There was a dispute between the two Governments as to particular lands. The conclusion was come to that they belonged to Cetewayo; but, in the meantime, a wrongful owner put in certain tenants, who might be *bonâ fide* settlers. Let them go to the Government that put them in and get compensation. The whole award was tainted by a grievous injustice. What was the secret of this award? Why, it was this—Sir Theophilus Shepstone and Sir Bartle Frere both knew quite well that if the Boers were to be ousted it was impossible to retain the Transvaal, and it was this untenable circumstance which was the secret of all our wrong-doing; and if they wanted to know why we were at war with Secocœni, why we were employing the brutal Swazis, why Sir Bartle Frere violated right and justice, the secret was always this—he wanted to appease the Boers of the Transvaal. And yet they were not loyal. The Boers resisted intrusion; but in order to reconcile them to our authority wrong had been done to Secocœni, and would be done to Cetewayo. Next, one or two words as to the Ultimatum sent to Cetewayo. He had not heard any hon. Member say, nor had he heard any reference elsewhere, to a circumstance connected with this case which appeared to him to be very material and well worth considering. It was this—What was the relation in which women were regarded towards men throughout the whole of Zululand, and, indeed, wherever Zulu laws prevailed—that was to say, in Natal itself? There had been a discussion in this House last July on the Native law in Natal. It came out then that in Natal itself, among the Natives, and in Zululand also, the principle subsisting between the sexes was this—that every woman was the property of some one man. When a man grew to man's estate he invested his earnings in women; he was the owner of so many. They were his working agents, they did all his work; they were his estate, and in the case of a man by some extraordinary process becoming bankrupt, the schedule of his estate consisted of so many women, and at the death of a man the women were parted as the inheritance which belonged to him. A woman could have no independent existence as a member of the community; and that was carried to such an extent that in Natal a question arising as to a matter which would otherwise have been a crime committed against a woman, the case was quashed, on the ground that the woman was the property of the man who had perpetrated the act attempted to be made the subject of indictment. That prevailed in our own Colony of Natal, and the object of the discussion last July was to induce the Colonial Secretary to modify that law in Natal. If the Government had realized this relation between the sexes, then the pursuit of the women who ran away in our territory by the sons of Sirayo, and their re-capture, would have been seen to be nothing more in the eyes of the Zulus than the pursuit of two runaway colts. And if that was kept in mind, the House would understand what was admitted in this Correspondence—that over and over again such claims had been acceded to, and women had been taken back from one side to the other as property—lost, stolen, or strayed. He did not defend it for a moment; but, in issuing an Ultimatum of peace or war, to put this matter in the forefront, ignoring the relation of the sexes in the Colony, was to do a thing which might please people at home, but he could not conceive how Sir Bartle Frere could be ignorant of the weakness and unsubstantial character of that part of his case. Then, as to the Army and character of Cetewayo; there was one point which ought to be cleared up. Was that Army a menace? He did not know what hon. Members meant by menace. Did they understand by it that it was a danger or a threat? That the Zulu Army was a power he admitted; but that it was a menace was a declaration for which there was not a scrap of evidence. These things were thought about and spoken of in a wonderfully loose way. For instance, the General Officer Commanding, in a despatch to the Secretary of State for War, dated October 27, said—

> "It appears doubtful whether these measures are the result of the King's uneasiness on hearing of the movements of the Imperial troops from Maritzburg to Newcastle, and from Utrecht to Luneburg, and are to be regarded as only measures of precaution against attack, or if it be part of a concerted plan of offensive action against the Imperial Government."

On the same day the same General Commanding forwarded to Sir Bartle Frere a Memorandum, in which he said—

"The assembly of a large number of Zulu regiments at the King's kraal must undoubtedly be considered as a menace either to Natal or to the Transvaal."

Yet he had just said it was doubtful whether it was a menace or not. Again, within a week the General Commanding writes—

"The news received from Zululand does not modify in any way the opinion I expressed last week that the movements of Cetewayo's Army may be for either defence or attack."

Yet we are told that this was a menace; and, indeed, people often spoke of it as if a danger and a menace meant the same thing. Whether it were really a menace depended upon the character of Cetewayo, and on this point there was some evidence which deserved attention. Language of insult and passion had been reported by Native messengers to Sir Henry Bulwer as having been used by Cetewayo. The report, it should be observed, was made by Native messengers who went to Cetewayo and came back again. Most of the communications from Cetewayo were made by his own messengers who were received by the Government of Natal; or else the communications were made by himself to Englishmen who went to him, or to Mr. John Dunn, our Resident there. In the case of Langalibalele, the origin of all the mischief that had happened was traced to the misrepresentation of Langalibalele's action and language by a Native messenger; and possibly this message of Cetewayo might also have been distorted. There was another circumstance which stared in the face everybody who read the Blue Book. Our resident magistrate on the Border suggested that rum might be very much to blame for the message. It was possible that the language of Cetewayo was the language of a man who was in his cups. He did not deny that the words of a drunken man were dangerous if he possessed uncontrolled authority. It had been assumed, in spite of all the authorities, that Cetewayo had uncontrolled power in Zululand. He had nothing of the kind. The polity of Zululand was not a civilized polity, but it was an artificial and a well-developed polity; and there were rules of government in Zululand now as there were among the Germans and Gauls in the days of the Romans—rules which well deserved the consideration of philosophic historians. It appeared from the Blue Book that Cetewayo, even if he had the will, did not possess the power to carry out the threats which were imputed to him. Mr. Shepstone, not Sir Theophilus, writing on the subject, on November 26th, said that Cetewayo had excited the indignation of many leading men in the Zulu nation; for it appeared he had received and replied to messages of importance without the slightest reference to a single Chief, so that the message of which so much had been made—a message probably mis-translated—was a message which he had given without the assistance of any one of his privy councillors, and did not at all represent the feeling of the Zulu nation. This question did not turn upon words, for we had something much more substantial. What had been the conduct of Cetewayo? If Cetewayo had been the terrible and treacherous enemy which he had been described to be, he would have been long ago at Natal, because Natal at one time had been denuded of troops and open to invasion, while his Force was as powerful as it was to-day, and yet not one single Zulu warrior had crossed the Tugela River. Again, what had been the conduct of Cetewayo in the dispute about the land? Last Christmas 12 months news came from the Cape that we must necessarily go to war with Cetewayo about this disputed land. Shortly afterwards, he (Mr. Courtney) sent a letter to *The Times* to the following effect:—

"It is not at all necessary that we should go to war if the slightest care is taken. Cetewayo is willing to refer the dispute to a Commission of Englishmen—one Englishman to be appointed by himself, one by the Transvaal Government, and the third to be chosen between the two. To their decision he would bow."

That, he thought, was a reasonable proposition which a peace-loving Government should have seized upon. But the arbitration did not go so far as that, because, in the end, Cetewayo accepted the decision of a Commission appointed entirely by ourselves, saying, when he heard of its appointment, "that a load had been lifted off his heart." Was it possible, then, to sustain the argument that Cetewayo was bloodthirsty, treacherous, and cruel, and that he would, at the same time, gladly consent to refer his claims against this country to a Commission nominated by country. A more serious offence than the insolent despatch to Sir Bartle Frere was the raid made by the sons of Sirayo when they captured the two women in the police kraal in British territory. It was said that people would indulge in such conduct now and then; but that was hardly a sufficient excuse for the way in which the sons of Sirayo acted on the particular occasion to which reference was made. It appeared from the evidence of the police-constable at the kraal, that on Wednesday evening, July 24, one of the wives of Sirayo came to the kraal, and that on the following morning two Natives on horseback approached the kraal from one direction, while 16 others approached it from another; that they surrounded the kraal, having been joined by a number of Zulus on foot, and demanded the woman who had entered the kraal on the preceding day; that they were told that the ground they were on was Government ground; that they pushed the seven men in charge aside; that the brother of Sirayo dragged the woman out of the hut; and that other Zulus seized her and knocked out her front teeth, and that while they dragged her on the ground several Zulus stood ready to stab the Government officers in case they should interfere. He had alluded to these details, because he feared that many hon. Gentlemen had not studied the Blue Books containing them with great care relatively to other events of a strongly similar character. He wondered at it the more, when he remembered the indignation which was expressed some time ago in regard to the Fugitive Slave Circular; and as he held that the one outrage was as great as the other, he was at a loss to understand how there should have been so much sympathy shown by the Opposition concerning the one, and none whatever exhibited in regard to the other. He thought that the gentlemen who took such an active part in the agitation respecting the Slave Circular should certainly be consistent, and rouse themselves, and express their indignation at the outrages perpetrated by the barbarous Potentate of Zululand. What would they have said if a difficulty had arisen from the fact that a slavedhow had boarded a British man-of-war and taken from on board of her two slaves who had found refuge there? The case was precisely similar to that of the myrmidons of a drunken and savage King taking two women from the kraal and killing them; but this last was regarded as a light and trifling matter. He was not to be understood, however, as altogether approving of the present *status quo* in South Africa, for he had no sort of approval for the policy of annexation which had been pursued of late years in that country, and he hoped the Government would draw from the existing state of things the useful moral that in future it would be unwise to allow any such motives to actuate their conduct of affairs. He also regretted that some difficulties should have arisen about the organization of some of the mounted South African Forces which were formerly very useful, and which did not want to trouble much about a commissariat, seeing that they could go for several days carrying their own supplies and stores with them. It was very desirable that these Forces should be re-organized under a good system, since it would save a great deal of money, and would teach the Colonists to depend mainly upon themselves for their protection. He could not help thinking also that the Home Government would do well to discourage our Colonists from relying entirely on Imperial troops in carrying on their internal and Frontier wars. They should be taught, as was recommended by a Committee of the House in 1861, that Imperial troops should be employed for the protection of the Colonists only in contingencies arising from Imperial policy—a plan which had been followed by the most excellent results in New Zealand, where, in consequence, there had been for several years unbroken peace. As regarded the Motion, in justice and fairness to a noble and distinguished man—Sir Bartle Frere—who was an esteemed friend of his own, and in the interests of all who had to serve the Crown in distant Colonies, he would heartily vote against it, if only for the purpose of securing in our Colonies the services of men so distinguished as Sir Bartle Frere, against whom the proposal of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) was directed, to the prejudice, not only of all the Representatives of the Crown abroad, but of the best interests of our Colonial Empire.

MR. O'CONNOR POWER, who had the following Notice upon the Paper:—

> "As an Amendment to Sir Charles Dilke's Resolution, to move, That the ultimatum presented to the Zulu King by Sir Bartle Frere was unjustifiable; and that this House condemns the conduct of Her Majesty's Government in not recalling Sir Bartle Frere from the Government of the South African Colonies, and in declining to take proper measures to terminate the war waged by him against an unoffending people,"

said, that the noble Lord the Member for Liverpool (Viscount Sandon) had referred to the possibility of rebellion in South Africa, and had grown eloquent in depicting the horrors of a rising of the Black population against the White. The noble Lord omitted, however, to notice one thing, and that was that if they wanted to be on good terms with the Black population of South Africa, they must treat them as if they were a White population, and that justice was as much due to them as to the civilized race. The speech of the hon. Member who had just sat down (Mr. A. Mills) had not enlightened the House very much on the question at issue arising out of the affairs at South Africa. He (Mr. O'Connor Power), in common with the hon. Gentleman, was opposed to the policy of aggression and annexation by which right hon. Gentlemen had so successfully appealed to the vanity of their countrymen, and he thought they must feel indebted to the Mover and Seconder of the Resolution for the speeches which they had delivered on this subject; but the Resolution itself did not raise the great issue involved in the question which it purported to deal with. That issue was, whether the war against the Zulus was a just or an unjust war. No one who had read the history of this question could doubt that the war was unjust, and that the Queen's Representative in South Africa had, by declaring war against an unoffending people, outraged the liberty of nations and committed a crime against humanity. The speeches made by the Mover and Seconder of the Resolution went directly to establish that proposition; but it was nowhere to be found in the Resolution. The Resolution was couched in very ambiguous terms. They were asked, in the first place, to declare that they were "willing to support Her Majesty's Government in all necessary measures for defending the possessions of Her Majesty in South Africa." Now, if they asked Sir Bartle Frere what was his policy in South Africa, he would tell them that it was to defend the possessions of Her Majesty. He noticed the phrase, "necessary measures," which the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) might consider the saving clause. But they were not discussing an abstract question. The Resolution only expressed

> "Regret that the ultimatum, which was calculated to produce immediate war, should have been presented to the Zulu King without authority from the responsible Advisers of the Crown."

In his (Mr. O'Connor Power's) humble opinion, it was a small matter whether the Ultimatum was sent with or without authority, compared with the question whether it should have been sent at all or not; but that was the very question upon which the Resolution expressed no opinion whatever, and the question he had to put to the hon. Baronet the Member for Chelsea was this—Was the Ultimatum a necessary measure; and if it was not, why did he not say so in the Resolution? He was, however, not at a loss to account for the course which the hon. Baronet the Member for Chelsea pursued. The charges made as to the want of sufficient military preparation, and as to the quarrel between the Government and Sir Bartle Frere, were quite beside the main issue, and he regretted that the language of the hon. Baronet's speech had no counterpart in the terms of his Resolution. The noble Lord the Member for Liverpool had told the House that both Parties in the House were responsible for the annexation of the Transvaal. Each Party in its turn had pursued this policy of annexation in South Africa, and, therefore, the hon. Member was not free to bring forward a Resolution condemning the policy of the Government; for although there might be degrees of responsibility as between one Party and the other, the accusation *tu quoque* might be used by either of the two. If the Resolution was intended to express the views of independent Members below the Gangway on that side of the House, he (Mr. O'Connor Power) should indeed hope that it would speak for the cause of liberty and justice; but he knew that jesty's Government would be forced to arrive at some decision on this subject. And what should that decision be? He ventured to say that they ought to go back to the good old policy which they had abandoned two years ago. Let Her Majesty's Government confess the truth. The scheme of Confederation in South Africa was a foolish "fad." It had been attributed to Lord Carnarvon, in "another place," that he had originated and carried out the scheme of Confederation in our North American Colonies; but that noble Lord had no more to do with the concoction of the scheme than the hall porter at the Colonial Office had. That scheme had originated with the Brown-Macdonald Ministry in Canada, and it was fully debated and elaborated in the spring of 1866 in the debates in the Canadian Parliament. It was originated, conceived, and executed in Canada, and it was merely a vain and a feeble ambition on the part of Lord Carnarvon that led him to take up Confederation and apply it to other countries whose circumstances were totally unfavourable to it, and whose people were unfriendly to its reception. He (Mr. Courtney) did not say that the policy of Confederation might not, perhaps, be some day applicable to the South African Colonies; but, at present, all the necessary elements for carrying out that policy there were wanting. He, therefore, urged Her Majesty's Government to abandon altogether their vain attempt to force those Colonies of South Africa to Confederation, to undo the foolish act which they had done in annexing the Transvaal, and to restore to that territory the independence of which they had deprived it. Was that a difficult thing to do, or was it feared that such an act would reflect dishonour upon this country? In his opinion, it was the keeping of the Transvaal that was dishonourable and difficult. Sir Theophilus Shepstone had declared that that annexation had been accomplished with the free consent of the inhabitants of the territory. But it was now clear that the inhabitants of the State had not consented to that annexation; and therefore in annexing it, we had been misled, overreached, and deluded. If we had the courage of our convictions, our future in South Africa would be full of promise, and we should inaugurate a period of order, peace, and moderation in that part of the world. If we restored the Transvaal to independence, we should interpose a barrier between ourselves and Secocoeni; and by making the restoration of its independence subject to the condition that an equitable boundary line should be drawn between it and the dominions of the Zulu King, we should be able to approach Cetewayo with a better grace, and should be able to re-establish peaceful relations with him. He was entitled to make this recommendation to Her Majesty's Government, because by acting upon it they would only be reverting to the courageous policy of their Predecessors. It was in pursuance of that policy that Lord Hampton recognized, in 1852, the independence of the Transvaal, which was afterwards followed by the recognition of the Orange Free State. The Conservatives of that date were fully alive to the foolishness of the present policy. The Conservatism of those days was a Conservatism of moderation and of self-respect—it certainly was not one of bluster, either in its foreign, or in its Colonial relations. But the Conservative Party had not then at its head a Prime Minister whose policy was that of "adventures for the adventurous," nor a Foreign Secretary whose motto was *De l'audace, et encore de l'audace, et toujours de l'audace.* He asked the Government to act as their Predecessors did, and give to the Transvaal that freedom which the Government of 1852 bestowed on that Colony; to undo the policy of Sir Bartle Frere, which could only result in the expenditure of our blood and money in the wilds of South Africa; to withdraw that man, and to replace him by one who would carry out a policy of moderation and peace.

VISCOUNT SANDON said, that there was a strange contrast between the tone with which the hon. Member opposite (Mr. Courtney) commenced, and that with which he concluded, his impassioned harangue, and he was almost tempted to reverse, in his case, the attribute of the month of March, inasmuch as he had come in like a lamb and gone out like a lion. When he mentioned the Resolution at the commencement of his speech, he spoke in terms of moderation with regard to the policy of Her Majesty's Government, observing that there was much to be said on both sides; but towards its close, the real meaning of the attack which they had to meet came out in bold colours when he made a violent personal attack upon the Prime Minister and upon the noble Marquess the Foreign Secretary. The whole meaning of this Resolution was now clear, and he (Viscount Sandon) was glad it had been made so. Hon. Members opposite, however, had learnt something by experience. This was only one more of their long procession of attempted Votes of Censure upon Her Majesty's Government; but it had been kept in with more caution than in former days. They had tried to pass a Vote of Censure upon Her Majesty's Government when they took a course that had prevented the Mediterranean Sea from becoming subject to one great Power, and when they adopted a resolute policy in India, and they had received warnings from the country right and left which had compelled them to be cautious what they were about. Hon. Members opposite could not have forgotten that at the end of five years the Government majority of the House was unbroken and unimpaired; that constituency after constituency, which had been appealed to, perhaps, more often during the present Parliament than any other, had given their support to the Government; and that the only question that could arise was, whether the Government had gained or had lost one or two votes in consequence of those appeals. The policy of Her Majesty's Government had been approved at the recent Norfolk Election. Hon. Members opposite had, however, learnt their lesson, and therefore they had framed this very cautious Resolution, which, although it meant a great deal, appeared on its surface to be very harmless. It was very right and wise that hon. Members opposite should be cautious. The hon. Member for Liskeard had a perfect right to raise the question of the annexation of the Transvaal; but most of those who sat opposite could scarcely do so with good grace, inasmuch as the annexation of that State was one of those acts which had received the assent of the two great political Parties in that House, and it had only been objected to by some few hon. Members sitting below the Gangway who were perfectly consistent in opposing it now. In 1877, before Sir Bartle Frere's time, the right hon. Member for Sandwich (Mr. Knatchbull-Hugessen) said—

> "The annexation was absolutely necessary for the security, not only of the British Possessions, but of all European settlers in South Africa."—[3 *Hansard*, ccxxxv. 995.]

Again, the right hon. Member for Bradford (Mr. W. E. Forster) said—

> "He approved that annexation. He believed it to have been an absolute necessity. He was convinced that if the annexation had not been effected there would have been utter anarchy in an enormous district, and that until it was made there was the greatest possible danger of a most bloody and destructive war. The White population of the Transvaal were bringing on a most dangerous war, in which, in all probability, they would have been defeated, and very nearly destroyed. Some might say that they ought to have been left to take the consequences. Practically, however, this country could not have suffered that result."—[*Ibid.* 1758.]

The two sides of the House were fully committed to the annexation of the Transvaal; and, that being so, what came of the stress which the hon. Member for Liskeard put upon that point? The whole gist of his argument was to show that every evil consequence that had befallen us in the Cape, and from which we were now suffering, had followed from the annexation of the Transvaal. He said it was a bad work, and everything that followed had been but its necessary consequence. His words went so far as to throw the blame for what had occurred as much upon hon. Gentleman opposite and the House at large, as upon any officer who was out there now. The hon. Gentleman then adopted a most extraordinary argument. He proceeded to point out a series of evils that had followed from the annexation, ending up with the injustice that had been done to Cetewayo. But in each case the hon. Gentleman had begged the question. He then went on to put the whole blame of these iniquities upon Sir Bartle Frere. That was a most extraordinary argument. He said, as a matter of fact, that the whole House was blamable for the annexation; that all the evils resulted from the annexation; and yet he attempted to throw the whole blame of the offences upon Sir Bartle Frere. Had he not forgotten one point? All these evils came from the annexation; but Sir Bartle Frere did not go out till after the annexation; yet still, said the hon. Member, Sir Bartle Frere was guilty of all. The hon. Member's argument was one of the most startling he (Viscount Sandon) had ever heard.

When the hon. Gentleman talked about "washing the insides of their heads with common sense," he would be a little wiser if he applied some process of that kind to himself. He would now come to the points that were really before the House. Let them consider for one moment the Resolution upon which they had to vote. They were too apt sometimes to forget the question that was actually before them. The Resolution began with a very remarkable Preamble—

> "That this House, while willing to support Her Majesty's Government in all necessary measures for defending the possessions of Her Majesty in South Africa."

That was surely the crowning humiliation of the Liberal Party. They felt themselves obliged to give an assurance that they were willing to support Her Majesty's Government in all necessary measures for the defence of South Africa. That brought him back once more to what he had said before—namely, that the Liberal Party had learnt a lesson. They were aware that their treatment of external questions was looked upon with much suspicion by the country. He could therefore well understand, humiliating though he thought it was, why they had put this Preamble to the Resolution. The first points of the Resolution that followed were, of course, almost truisms, except the suggestion as to inadequate preparation. Everyone was aware that Her Majesty's Government had found fault with the High Commissioner for sending an Ultimatum which might have had, and which, perhaps, had had, the effect of precipitating war without referring to them for permission, and, no doubt, that was an important act. But then they came to the closing paragraph of the Resolution, which deserved particular attention—

> "And this House further regrets that, after the censure passed upon the High Commissioner by Her Majesty's Government in the despatch of the 19th day of March 1879, the conduct of affairs in South Africa should be retained in his hands."

This simply expressed an opinion that, after the censure passed on him with regard to the Ultimatum by the Government, the High Commissioner ought to have been recalled. But the House would remember that the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) went far beyond that. The hon. Baronet's speech was one the ability of which everyone had acknowledged; but he (Viscount Sandon) thought that, in recalling the pleasure with which they had listened to it, they ought to bear in mind that it was really the speech of an able counsel for the prosecution in a criminal case, and not the speech of a statesman weighing in a calm and careful manner the character of a public officer. As the speech of a counsel he acknowledged its ability; but as the speech of a statesman, who ought to look on both sides of the case, he could not give it the same commendation. In listening to that speech, he had come to this conclusion—that the hon. Baronet had run through all the Blue Books with care, and with a pair of scissors had snipped out every passage he could find that bore in favour of the views he entertained of Sir Bartle Frere's delinquencies, and had put aside every passage that told in support of Sir Bartle Frere's own case. He should like to consider the proposals the hon. Baronet had put before them. They were two in number; the first was a comparatively simple matter, as it merely concerned the point of view taken up in the words of the Resolution itself. It was simply this—that the Governor ought to be withdrawn, because the Government had censured him; but after this followed an attack of much wider scope. The hon. Baronet's first point came simply to this—that you must not censure a Governor without recalling him. The hon. Baronet further attempted to show that the censure was of a nature so damaging to the High Commissioner's usefulness as to make his recall necessary. This was the whole scope of the attack, so far as it was contained in the words of the Resolution. Now, with regard to this matter, it was not the duty of Her Majesty's Government to think of the punishment of a Governor at such a time. They had to consider what was for the good of the Public Service generally; what was likely to promote the good government of the Colony in the future; what was for the good of the Empire at large in the future. The Government held strongly that a Governor might be censured even upon a grave question without his recall becoming necessary, and that the act of the High Commissioner did not demand a recall. He would not, however, dwell at present upon these two points, but would pass to the most important charges which were contained in the speech of the hon. Baronet, but not in the words of the Resolution. He quite agreed that if the hon. Baronet had proved his points they would go far to justify his views. But he believed they would find that his attack broke down at its chief points. The hon. Baronet's first charge was that, although Sir Bartle Frere had found South Africa peaceful, wars and rumours of wars were now everywhere prevalent, and that, therefore, his government was bad. Now, these were pure matters of fact. Was it true, or was it not, that when Sir Bartle Frere went to South Africa there was peace, and that all these wars had followed on his rule? He held that it was not true, and that everybody who examined the matter would find that the whole state of the Native population had been growing more and more critical. Governor Wodehouse, writing to Lord Granville from Cape Town in 1870, had said—

> "I must assure your Lordship that the Native population in Natal, in Caffreland, in Basutoland, and in this Colony must be viewed as one mass as regards all questions in which the interests of Natives or Europeans are widely opposed;"

and he concluded thus—

> "It is quite possible that any great disaster in one quarter might cause a general excitement of which it would be difficult to foresee the issue."

This was evidence that the whole Native question had to be taken as hanging together. And then, too, hon. Gentlemen had surely not forgotten that there had been a great change in South Africa during the last few years? Some people seemed to think it was a mere small ordinary Colony; but it was a country very nearly the size of France and Germany put together. It had a population of nearly 2,000,000 Blacks and 300,000 Whites, and an enormous Frontier bounded by all sorts of barbarous tribes. In this vast territory there had been a great change since the year 1870 or thereabout. The discovery of diamonds and of gold, and the consequent spread of railways, had induced the Natives to flock to the diggings. There they had grown wealthy, and the riches they had acquired had, to a large extent, been spent in the purchase of firearms. The whole condition of the territory had absolutely changed within the last 10 years. To speak of the state of things that existed when Sir Bartle Frere went out as a "condition of peace" was a most ludicrous assertion. These were the actual facts; but as he had observed some expresions of doubt among hon. Gentlemen opposite, he would quote, in support of his statements, an authority in whom hon. Gentlemen opposite placed the greatest possible reliance. He would read an extract from the oft-repeated letter of Sir Henry Bulwer's, written before Sir Bartle Frere arrived in South Africa. Sir Henry Bulwer said—

> "It is evident, if the information that has reached us is correct—and there is no reason to doubt its correctness—that Cetewayo has not only been preparing for war, but that he has been sounding the way with the view to a combination of the Native races against the White men. . . . That messages have been passing on the subject between Cetewayo and other Native Chiefs there can be little doubt."

This letter was dated November 2, 1876, and there was another letter from the same authority containing similar information. This showed the disturbed condition of the Natives in our district; and he thought, therefore, the hon. Baronet's statement that South Africa was peaceful before Sir Bartle Frere arrived absolutely and entirely broke down. Then came the question, what was the attitude of the Natives before the war was begun? On that point the assertion of the hon. Member opposite was, after all, an *ipse dixit* that was all but unconfirmed. Hon. Members on that side of the House would probably not concur in the view taken by Lord Chelmsford, who had written that—

> "Looking to the state of the Native mind generally it was now much perturbed, and an invasion was far more imminent now than it had been for many years."

That was also the estimate formed by Sir Bartle Frere as to the condition of things in Natal. The House might take the evidence of Colonel Lanyon, a distinguished soldier, on the same point. He said that—

> "Much of our trouble had been brought about by the evil influence of Cetewayo. The support he gave to Secocœni had a bad effect everywhere. But for the precautions taken, there would have been a terrible war of races."

Then there was the missionary, the Rev. J. Mackenzie, who had added his testimony to that of the others.

> "For some time past," he said, "there had been on the part of all the Native Tribes a strong and increasing feeling of antagonism to the White man."

Colonel Lanyon had also given it as his opinion that the object of the Natives was to exterminate the Europeans. He spoke of the evil influence of the Chief, and had said that "evidence was forthcoming to show that his emissaries had been fostering mischief on all sides." The opinion, then, of Sir Bartle Frere was corroborated by evidence that might fairly be called overwhelming; but he wished to cite, in conclusion, a portion of a despatch, dated June 10th, 1878, in which Sir Theophilus Shepstone had written to the Colonial Secretary as follows:—

> "The feeling of antagonism that has so suddenly sprung up among the Coloured Tribes in South Africa to the White man, and which seems to be spreading, is, I think, a direct result of this trade (in guns); the acquisition of firearms has been to the Native the acquisition of strength and confidence, hence the present state of affairs between the races."

Now, all the opinions he had quoted went to show that, whatever might be the merits of Sir Bartle Frere's policy to the Natives, his estimate of the danger was by no means exaggerated. Then they had been told that Sir Bartle Frere had acted in direct opposition to the very best of his advisers; and they heard from hon. Gentlemen opposite that Sir Henry Bulwer was one of the wisest of men and knew affairs in South Africa better than anyone else, and that, if he had been acting alone in dealing with the difficulty, nothing of the kind that had happened would have occurred. The hon. Member for Liskeard had followed in exactly the same strain, and had endeavoured to show that there was no authority whatever for the action of the High Commissioner. He was sorry to trouble the House by reading; but the question whether Sir Bartle Frere was not properly supported was of such importance that he desired at once to set it at rest. The contention of hon. Members opposite was that Sir Henry Bulwer, Bishop Colenso, and others were adverse to an aggressive policy. Evidently, if he could prove that was not so, he would be able to derive one of his strongest arguments from the opinions of men whose convictions, though slow to change, had at last altered. Now, Sir Henry Bulwer had written, in a Minute addressed to the Colonial Office—

> "I beg to express my concurrence generally in the conclusions of the High Commissioner and in the terms which he proposes to lay down. It must be admitted that the time has now come for placing the relations between the Zulus and the British Government upon some more decided and more satisfactory footing, Assuming the minor questions to be settled, the state of the Zulu nation will remain as unsatisfactory as ever, and the conditions of the country as perilous to the peace of South Africa as they now are. I fully concur in his views, that we have the right and are bound to interfere in the government of the Zulu country both for the safety of the British countries in the neighbourhood and for the safety of the Zulu people themselves. In the measures proposed by the High Commissioner he has not gone, in my opinion, beyond what is necessary to secure the objects in view—the better government of the Zulu people and the security of British territory from constant danger."

The following were the words of Bishop Colenso:—

> "However, I said that I hoped and believed that Cetewayo would agree to these demands (relating to Sirayo and the surveyors), and I expressed my cordial assent to the main points of the message—namely, those requiring the disbanding of the military force and an entire change in the marriage system, as being, though measures of coercion, yet such as a great Christian Power had the right and the duty of enforcing upon a neighbouring savage nation like the Zulus, brought into close relations with itself, whose King had been installed at their own request by the Representative of the Natal Government, and to whom a signal proof of generosity and good faith had been given in the award (dated December 27), as was set forth emphatically in the forefront of the message itself."

The only other testimony with which he would trouble the House was that of Lord Chelmsford, who had said—

> "There is no doubt in my mind but that the guarantees demanded (in the Ultimatum) are absolutely necessary for the future peace of South Africa."

It was tolerably clear that the assertion that Sir Bartle Frere was unsupported could not possibly be maintained. He utterly denied, therefore, that the hon. Gentleman had made good the wider ground he had taken up when he had made charges that went far beyond the words of the Resolution. With regard to the words of the Resolution, he would only remark that he could not understand why the proposition should be made that a Governor, censured for a fault that implied no incapacity, no weakness, no moral turpitude, but only over-great zeal for the protection of those committed to his charge, should be recalled from his post. Why, it must be remembered that in that very despatch in which the censure was conveyed something in the nature of a compliment was implied in the request that he should remain High Commissioner, a request that would not have been made except to a man of rare and valuable ability. Could it be argued that the fact of his declaring war on the Zulus absolutely unfitted him to rule? He could not imagine that anyone would say so, however unwise he might think the High Commissioner's policy. The hon. Baronet should remember that that distinguished man—for distinguished man he was—had before his eyes, more vividly than anyone else, the fear of a general Native rising. He had seen in India all the horrors of a rising of Blacks against White men; he had spent weeks and months of anxiety when it seemed impossible that the British rule in India should be maintained, and the fact that he had been an eyewitness of the terrible events of the Mutiny to some extent explained the reasons for the course he had judged to be best for the safety, the honour, and the property of the White races in South Africa. Every allowance ought to be made for a distinguished man who was doing his utmost to triumph over the circumstances in which he was placed; but, granted that they should recall him, would that alone content hon. Members opposite? Did they not know that if he were recalled, the return home of his brother in authority (Lord Chelmsford) would be equally demanded? If they recalled Sir Bartle Frere, could they retain at his post that noble-minded man, Lord Chelmsford? That point, he was sorry to say, had been sometimes treated in a very off-hand manner; most hon. Members would regret the fact, and would agree with him that the case of Lord Chelmsford was no part of the present debate. Lord Chelmsford had been denounced in language that was much to be regretted. If a stranger had entered the House, and heard the hon. Baronet shouting at the top of his voice, "Blood and money! blood and money!" he would have thought he was listening to a highwayman in a melodrama, rather than that the House was discussing the conduct of a British General in the field who had just suffered a great disaster. He grieved that the question was treated in that way. Insinuations had even been made, than which he could conceive none more baseless or more unfair, that the General was guilty of inhumanity towards the wounded. Such was the injustice to which Lord Chelmsford had been treated. If the High Commissioner were to be recalled, Lord Chelmsford would probably resign, and the House would easily imagine the effect of recalling suddenly the two principal authorities in South Africa. They had to look steadily to the future; they had to look to the settling, if possible, on a peaceful basis, the government of these incongruous tribes; they had, if possible, to avoid a future enormous charge on the British ratepayer of heaping battalion after battalion upon the shores of South Africa; they had to see that the feelings of the Natives towards them should be injured as little as possible, and that no passion for revenge should spring up in the minds of the Whites against the Blacks. What would be the effect of carrying the Motion of the hon. Baronet the Member for Chelsea? Two leading spirits in South Africa would be taken away, though they knew more about the country, the popular assemblies, and the character of the principal people, as well as of the Natives, than probably any other persons in the world. He had, he thought, shown that the charges which had been made against Sir Bartle Frere had broken down, so that he stood again before the public in the light of a man of no ordinary capacity, who had mastered great and terrific obstacles, and who had rallied men round him at the Cape to a greater extent than any Governor had done for years past. Sir Bartle Frere stood out, with all the decorations, which he had so well merited, emblazoned on his breast, as a man still to be trusted more than anyone else, even by right hon. Gentlemen opposite. They it was who had placed him in Bombay, who had put him on the Council of India, and who had allotted to him the duty of suppressing slavery in Zanzibar; and they could hardly fail to see that now, after his services in South Africa, he was probably the man who could best help the country over the difficulties of the future in that quarter. His hon. and learned Friend the Member for Oxford (Sir William Harcourt) smiled at that statement. The hon. and learned Gentleman was very apt to smile; but he (Viscount Sandon) would ask him, did the finger of the public point to any other man to take the place of Sir Bartle Frere? Was the whole secret of the speech of the right hon. Baronet the Member for Tamworth (Sir Robert Peel) this—that, when hon. Gentlemen opposite came into power, their finger would be put upon him as the man who was to go out to govern South Africa in the place of Sir Bartle Frere? If that were the reason of the chuckling that he saw on the front Opposition Bench, he might, in detecting it, have touched the source of a dark and curious intrigue. But, be that as it might, the position of the Government with regard to the Resolution was that they accepted the whole responsibility of the course which they had taken. They had not only privately, but publicly, informed Sir Bartle Frere of the great mistake which they thought he had committed in assuming the Prerogative of the Crown in declaring war. From that position they had not drawn back; but they entirely denied that, looking at the interests of the Public Service, they had acted wrongly in not recalling the High Commissioner. Looking solely to the benefits of the Public Service, the Government had come to the conclusion, in the exercise of the great responsibility that rested upon them, that Sir Bartle Frere was the very best man, under the circumstances, to bring to a happy issue the terrible condition of affairs in South Africa, not only for the moment, but also for the more distant future. They shrank not from this responsibility; they accepted it; but what they said to hon. Gentlemen opposite was—"Do not rob us of the responsibility; fix it upon us as much as you like; but if, by your vote, you recall Sir Bartle Frere, do not then expect us to take the responsibility of administering affairs in South Africa." They all knew that the national pride had been hurt by a disaster to which they had long been unaccustomed, and that the national heart had been saddened by the terrible loss of so many gallant fellows; but disasters of this kind, after all, had their good side. They stirred up all the highest virtues of the nation, for the moment the news of the catastrophe at Isandlana reached this country, hundreds of officers and men came forward and offered to take the places of those who had so gallantly fallen. These heroic deeds had awakened the spark of valour, and enkindled in many hearts a determination to sacrifice the comforts of home life, in order to uphold the honour of their country. Let not hon. Gentlemen opposite be behindhand in the good example of the sacrifice of their Party feelings on an important occasion like that. Party feelings were good in their way, and were most useful and necessary in their Parliamentary government; but surely that was the moment to make the sacrifice even of Party feelings, and to determine that nothing should induce them, at such a time, to trample upon the fair fame and upon the noble feelings of men who were serving their country in distant Colonies. Instead of that, he hoped they would rally round those men, and give them that support which only those who had been in far countries knew how to value. Though they might have made mistakes, let them support them in the belief that they had honestly, truly, and ably tried to do their duty to their country and their Queen.

General Sir GEORGE BALFOUR said, he hoped the House would be indulgent whilst he offered a few remarks on behalf of a distinguished statesman, with whom he had long been intimate, and with whom he had served in trying times. Knowing well by experience the great qualities he possessed, and the fair right he had earned for high office in England, he regretted that his friend, Sir Bartle Frere, accepted the offer made to him to go out to South Africa as Governor of the Cape and High Commissioner; but he went out on the urgent request of Lord Carnarvon and the then Secretary of State for India, now the Foreign Secretary. He regretted it, because no man had ever come away from the Governorship of the Cape of Good Hope without having suffered in reputation; the only exception might be Sir Henry Pottinger, who only evaded the difficulties he saw arising by taking up his appointment as Governor of Madras.

He therefore felt alarmed lest, when Sir Bartle Frere went out thither, that in the complications of that Colony he would lose some of that great reputation which he had earned in India and elsewhere; but Sir Bartle Frere told him (Sir George Balfour) that he could not resist the urgent entreaties which had been made to him on public grounds to go out. The interests of the Indian territories were stated to be deeply involved in the good government of the Cape, and as an Indian statesman he was bound to aid in establishing that Colony on a sound basis. At that time affairs appeared to be in that condition which merely needed the wise rule of so experienced an administrator. But that expectation was very different from the reality. When he reached South Africa, he found a Ministry in Office putting forward pretensions which no one contemplated without alarm, and claiming rights and privileges dangerous to the object for which the Cape was mainly intended. These he satisfactorily settled. Next, did Sir Bartle Frere go out to make war and annex territory? No, he went out to carry into effect the policy of Confederation. He went to do that which the people of England had long demanded should be done—namely, to insist that the people of South Africa should defend themselves, instead of calling upon this country to defend them, as well as expend the millions of the less well-to-do people in the United Kingdom. Every Governor before him had shirked this question of self-defence; but he at once set about doing what others had failed in. This was a question of vital importance to the people of this country. On a recent occasion he had asked the Chancellor of the Exchequer to make up a statement of the outlay at the Cape and in Africa for military services, but was informed that it could not be done. Well, he (Sir George Balfour) had made a calculation that, since the time of Lord Glenelg, South Africa had cost this country £40,000,000, and considering the vast extent to which the calls for troops had been carried during the last 40 years, it was now the great object to throw the burden of military government upon the Colonists. No doubt, the war with the Zulu King was deeply to be regretted, and no one could do so more than Sir Bartle Frere; but they ought, before they condemned Sir Bartle Frere in regard to his policy, to consider the cause of it, and that he went forth to carry out the instructions of the Colonial Office, which had led to this war. They were told that Sir Bartle Frere had excited the Black races against our rule; but that was not the case, for there was not only no evidence in support of that statement in the Papers presented to Parliament, but, on the contrary, every effort had been used by Sir Bartle Frere to bring to an end the war with Natives which he had found going on on arriving at his government. The present war with Zululand was one that had its origin long before Sir Bartle Frere arrived. So entirely was this the case, that he thought the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) could have made as good a speech in defence of Sir Bartle Frere as he had done against him. He deeply regretted that the Colonial Minister had not brought forward this fact more distinctly. The Correspondence in his own Office would show that the very policy which Sir Bartle Frere was pursuing was not his own policy, but a policy which had been initiated by the Office of which the right hon. Gentleman was the head. Not to go further back than 1875, he could refer to extract after extract from despatches from that date, written by the last Governor of the Cape, Sir Henry Barkly, and by Sir Henry Bulwer, the Lieutenant Governor of Natal, showing that our relations with the Black races were in the most dangerous position, and especially so as regarded the Chief of the Zulus. Therefore, it ill became those who attacked Sir Bartle Frere to do so under the belief that Sir Henry Bulwer had never brought under the notice of the Colonial Office our dangerous position in that respect. As to Sir Bartle Frere's having created a policy of annexation, that also was unjust. Lord Carnarvon wrote to Sir Henry Barkly in September, 1876, to the effect that an increased section of the people in the Transvaal desired to come under British rule; that Secocœni wished to place his country under the Queen's protection; and that Cetewayo was inclined to the same course; and yet no allusion to these views of the Colonial Minister who appointed Sir Bartle Frere was made by the present head of the Colonial Office. The hon. Member for Midhurst (Sir

Henry Holland) spoke in such a tone as to suggest that the annexation of the Transvaal was in some degree connected with Sir Bartle Frere; but that annexation was finished before Sir Bartle Frere arrived there. That annexation was brought about by the policy of Lord Carnarvon, he (Sir George Balfour) believed, under a mistaken idea with regard to the feelings of all the inhabitants being in favour of annexation to the British Crown; and Sir Theophilus Shepstone was the officer who, under Lord Carnarvon's special and personal directions, carried out that annexation. To that annexation they might safely attribute all their present difficulties—prior to that, the language and bearing of the Zulu King was subdued; but from the moment of that annexation the feeling and the manner of Cetewayo, and of the whole Zulu nation, towards the British became entirely changed. No one could study the later Papers without coming to the conclusion that Cetewayo, before Sir Bartle Frere's interference with Natal and the Frontier of Zululand, expressed a desire to go to war with England, and Sir Bartle Frere warned the Colonial Office that our power in that part of the world was thereby liable to be attacked at any time. Then came the arbitration about the disputed Border lands, and with regard to it Sir Bartle Frere had also been blamed. But that was, again, another injustice. The claims of the Zulu King had been for many years known to the Colonial Office. Sir Benjamin Pine had reported fully thereon, and so also had Sir Henry Bulwer, as well as Sir Henry Barkly. It was remarkable that, although Sir Henry Bulwer had been repeatedly requested to undertake that arbitration, he urged his reluctance to do so, and intimated that it would be far better to intrust that work to Sir Bartle Frere. Sir Bartle Frere, with that noble indifference to self which he had shown on so many occasions, undertook the difficult and invidious task which Sir Henry Bulwer should have carried out. It had been said that Sir Bartle Frere, in his arbitration, acted favourably towards the Boers; but there was nothing in the Papers presented to Parliament to support that assertion. He (Sir George Balfour) could confidently assert that, whatever Sir Bartle Frere decided, no man could have decided with a stronger feeling of what was just and fair than he did. It ought therefore to be known, and the Government should say, that after his long and varied experience as an upright administrator, his decision ought to be accepted as just; and, no doubt, he was quite right in doing what he had done in that matter. With regard to the Ultimatum to the Zulu King, which the Government said ought not to have been sent without their authority, he thought Sir Bartle Frere was fully justified in acting upon his own judgment, if he considered the circumstances pressing and the course he took a right one. He had not been able to find in the whole mass of Correspondence before the House any prohibition from the Colonial Office which would have prevented him from doing so, between the occurrence of the one solitary instance two or three years ago when Lord Carnarvon pointed out that we were at war in other parts of Africa and advised our Representative there not to enter upon hostilities with Zululand, and the issue by the present Colonial Secretary of his letter of the 21st of November, 1878—a communication which did not reach Sir Bartle Frere until after the Ultimatum had been despatched and the war had practically commenced. The point to which the question came was this—was it prudent, as a simple act of discretion on the part of our Commissioner, to enter into the present struggle; or would it have been better in the personal interests of Sir Bartle Frere to have earnestly demanded more troops, and remained on the defensive, at a great cost to the people of England, and thus waited till the Colonial Office had decided? That was a matter on which there might be different opinions; but, for his own part, he held that, as everyone was agreed that a war was inevitable, to have stood merely upon the defensive, in a country having a Frontier of 300 miles exposed to the Zulus, would have been one of the greatest military blunders which could have been committed. Therefore an offensive war, which would fix the Army of the Zulus to the points where we attacked, was a wise and judicious measure. While he thus stood up for Sir Bartle Frere in defending him from unjust attacks for applying remedies for great dangers which he had not created, he was certainly of opinion that this policy of annexation, carried out in different parts of the world, was dangerous in the extreme. It was not that we could not annex territory with advantage to the people who inhabited it; but when we found, as in the case now before the House, that a man like Sir Bartle Frere did not give satisfaction to a number of hon. Members because he acted, where others before him had, prudently for themselves, allowed our affairs to drift into war, then able men like Sir Bartle Frere would not accept of office which entailed disgrace and censure. It might also be, if we went on extending our dominions as we had been doing of late years, that we would find ourselves in the position of not being able to get men fit to govern and to administer our extensive territories. But it was unjust to father on Sir Bartle Frere all the responsibility for this war, for both the Naval and Military Commanders on the spot—Commodore Sullivan and Lord Chelmsford—were agreed that a defensive war was an impossibility, and an offensive war a necessity. He could not help thinking that the right hon. Baronet the Secretary of State for the Colonies might have abstained in his speech from refusing to accept the responsibility which the hon. Baronet the Member for Chelsea, from his point of view, had put upon Sir Bartle Frere in reference to that part of the Ultimatum which referred to the missionaries. The right hon. Gentleman would even have done well if he had left that objection alone. It was a part of the recognized policy of the Colonial Office ever since the time of Lord Glenelg to encourage missionary enterprize. Lord Grey, in his 12th letter addressed to Lord Russell, distinctly stated that missionaries were one of the great means of civilizing the people; and Lord Carnarvon said that no one was more desirous than he was of the success of missionaries in South Africa, and he would give them every support. Therefore, it was part of the Colonial Office policy, if we had any Colonial policy at all, that missionaries should be used in aid of administration. But it was utterly useless to expose the inconsistencies of the Colonial Office. Was there any Home Office more detested a few years ago than the Colonial Office, or any that had made so many mistakes? Had not the Colonial Office frequently changed its policy? Had it not driven both the Cape and Canada into rebellion? Therefore, when he saw the Colonial Office praised for anything, he would, say—"Let us look to the past, and then we may judge of the future." He (Sir George Balfour) regretted that the Colonial Secretary had given a rebuke to Sir Bartle Frere, because, in doing so, he gave an opportunity for the attacks of those who were only too anxious to assail the Ministry, even through Sir Bartle Frere. The Colonial Office had quietly and almost willingly permitted our affairs to be so entangled as to leave our Commissioner in South Africa in a most trying and difficult position, and in that event he was, in his opinion, perfectly wise and right in saying—"I refuse to wait until such time as the Zulu people make an inroad upon Natal territory." No doubt, the Forces were too few for this great operation; but that was the fault of the Cabinet. The fact was that the Government had been unable to give that support to the High Commissioner which he was justly entitled to expect, because, to have done so, would have exposed themselves to attacks for their own previous shortcomings. Holding these opinions, he could not support the Government in their action, neither could he, after what he had said, go into the Lobby with the hon. Baronet the Member for Chelsea; and, therefore, he would feel it to be his duty not to vote at all, for he would not throw discredit on one who had rendered such services to his country as Sir Bartle Frere, and who had now suffered for the mismanagement of the Colonial Office.

Colonel ALEXANDER said, he was very glad that Her Majesty's Government intended to meet with a direct negative the Resolution of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). An acquaintance with Lord Chelmsford of nearly 30 years led him to concur in every word that was said respecting that Commander by his hon. and gallant Friend the Member for Westminster (Sir Charles Russell). He might be allowed to quote the language of Sir Bartle Frere when appointing Lord Chelmsford temporary Resident in Zululand. He said—

> "There are few officers, I think, in Her Majesty's Service who combine so much judgment and temper with the firmness and clearness

> of perception essential to the discharge of such duties at such a juncture."

Like the hon. and gallant General who had just sat down (Sir George Balfour), he could not concur in the condemnation which had been passed on Sir Bartle Frere. A careful study of the Blue Books had convinced him that his policy, though seemingly aggressive, was in reality essentially defensive in its character. There was ample evidence to show that a weak and vacillating policy on the part of the High Commissioner would have brought invasion on Natal, and entailed upon us disasters infinitely greater than that which they had had to deplore. In order rightly to appreciate the policy of Sir Bartle Frere in dealing with the Zulus, it was necessary to bear in mind the relations formerly subsisting between that race and the Dutch Colonists, as well as the consequent obligations imposed upon the British Government when it assumed, in the first instance, the Sovereignty of Natal, and subsequently proclaimed the annexation of the Transvaal. They must remember that the European inhabitants of South Africa were for the most part originally Dutch, a people driven from pillar to post, and in many instances, it would appear, treated by us with grievous injustice. Lord Carnarvon, speaking of that people in "another place" two years ago, said that—

> "When he recalled the history of the Dutch States, he owned that he did so with regret. He thought with regret of those communities going out into the wilderness, being alienated from English feeling and English policy—alienated, too, under the sense of injustice and wrong."

In the course of this debate much had been said in favour of Cetewayo and the Zulus; but—with the exception, perhaps, of the hon. Member for Liskeard (Mr. Courtney)—not one word of sympathy had been expressed with the Dutch, of whom Sir Henry Bulwer, an authority whom hon. Gentlemen opposite would respect, had said that they were the real pioneers of European Colonization in South Africa. They had borne the burden and the heat of the day. The right hon. Baronet the Member for Tamworth (Sir Robert Peel) had mentioned that Sir Harry Smith was recalled because his conduct was not satisfactory to the Duke of Wellington. The war he was waging was not against the Zulus, but against the Dutch, and what had been once might be again. Sir Bartle Frere observed that if we were to have real security against Native aggression, our rule must be acquiesced in by the White population of the Transvaal. All evidence went to show that the Zulus were not independent at the time that Natal came into our hands in 1843, after which came, at long intervals, the two important missions of Sir Theophilus Shepstone. These visits were attended with the utmost danger, and on one occasion he was surrounded by 3,000 savages, who were vanquished by his coolness and courage. He regretted that such depreciatory language should have been applied to him by the hon. Member for Liskeard; and in doing so, the hon. Member had done scant justice indeed to his courage and daring. He was surprised that the hon. Baronet the Member for Midhurst (Sir Henry Holland) should think too much stress had been laid on what occurred at the Coronation of Cetewayo, for Sir Theophilus Shepstone had written the propositions down, and to every one he received a hearty assent, the King afterwards proclaiming them as new laws, which were gladly received by the people. Sir Henry Bulwer admitted that there was a distinct promise on the part of Cetewayo to abandon indiscriminate bloodshed and putting to death without trial, and that Cetewayo had broken the promises so made to us and to the Zulu people. The Lieutenant Governor of Natal at the time, Sir Benjamin Pine, reported that Sir Theophilus Shepstone had succeeded in inducing the King to alter the fundamental laws in such a manner as to check cruelty and the arbitrary and capricious exercise of the power of shedding blood. Sir Bartle Frere refused to believe that these solemn proceedings were to be regarded as a farce, although it was true that as soon as Sir Theophilus Shepstone's back was turned the King threw all his promises to the wind, and ordered a hecatomb of the young women, because they did not fancy the elderly warriors whom the King had selected as their husbands; and Sir Henry Barkly remonstrated against it. For the last 38 years the Zulus had been subject either to the Dutch Government or to ours, and Sir Henry Bulwer himself admitted that we should have been justified, if we thought it necessary, in deposing Cetewayo, and putting someone else in his room. The hon. Member for Midhurst accused Sir Bartle Frere of whittling down the award of the Boundary Commission, and not presenting it without great deliberation; but surely he was justified in acting with deliberation before handing over to the Zulus land which, in any case, had been supposed to belong to the Dutch, and which was, in fact, at that time occupied by them. He (Colonel Alexander) denied altogether that Sir Bartle Frere had done his best to whittle down the award. His despatches proved the very opposite to this. On November 16th he wrote to the Secretary of State for the Colonies—

> "I propose that, as regards territorial jurisdiction, the verdict of the Boundary Commissioners be accepted unaltered."

But the fact was, the hon. Baronet the Member for Midhurst, like Bishop Colenso, took Sir Bartle Frere to task for not at the same time dispossessing the Dutch farmers, who for long had occupied those lands; but he (Colonel Alexander) thought the answer made by Sir Bartle Frere to Bishop Colenso with reference to this subject was perfectly unanswerable. He said—

> "We must teach the Zulus what many Europeans have ignored — the difference between Sovereign and private rights. It is (he says) the want of this distinction between Sovereign and private rights which has, in my opinion, caused most of the aggressive wars in South Africa between the Black people and White."

But the High Commissioner went further than this. The Germans did not insist upon the French population leaving Alsace and Lorraine; and, having recommended that the rights of the Zulu occupants of land on British territory should be respected, he demanded that a similar consideration should be shown to Dutch, English, German, and other farmers who had settled upon the lands which were about, under the Boundary Commissioners' award, to be ceded to the Zulus. He would remind hon. Members that, so far back as the 8th of July, some Zulus had penetrated into British territory and carried off two Zulu women who had taken refuge there, and that, though reparation was demanded, reparation was always refused. Was no notice to be taken of that violation of British territory by the Zulus, simply because the award of the High Commissioner had not been confirmed? The hon. Baronet the Member for Midhurst had treated this violation of British territory as a very light thing. He had said that Cetewayo had made a semi-apology, and that he had, moreover, offered compensation. Well, this was the first time he (Colonel Alexander) had heard that a semi-apology would be considered sufficient for a violation of British territory. To his own mind, a semi-apology seemed worse than no apology at all. And what had been the compensation offered by Cetewayo? A sum of £50. It appeared he had borrowed £100 from Mr. John Dunn, had offered £50 as compensation, and had put the balance into his pocket. He (Colonel Alexander) was not in the least sorry for Mr. John Dunn, because it was proved that, as a paid agent of the Natal Government, he had been instrumental in importing arms and ammunition and handing them over to the Zulus. The hon. Member for Gateshead (Mr. James) had attributed to rum many of the evils in Zululand; but many ought also to be attributed to the baneful influence of Mr. John Dunn. The right hon. Baronet the Member for Tamworth (Sir Robert Peel) had complained that Cetewayo had had only 20 days given him for consideration; but the House should remember that Sir Henry Bulwer, who had been so much lauded by hon. Gentlemen opposite, had never asked for more than 30 days, and that was because Cetewayo had not had days for consideration, but months. We must concur with Sir Bartle Frere when, in speaking of this outrage, he insisted that we were bound to let every Kaffir sleep as securely within British dominions as we slept ourselves, and that if offenders were not given up, we were bound to put forth our whole power to enforce compliance with our demands. What fault could be found with that surpassed his comprehension. What hon. Members could find to censure in Sir Bartle Frere's conduct he (Colonel Alexander) was at a loss to imagine. Had Sir Bartle Frere taken any other course than the one he did, he would have lamentably failed in his duty. The hon. Member for Midhurst had said that the policy of Sir Bartle Frere might be summed up as annexation to please the Dutch; but there was no evidence in the Blue Books to show that he contemplated annexation at all. On the contrary, in a very remarkable despatch of the 14th of December, he pointed out the fallacy of the belief entertained by some that it was impossible to improve our relations with the Zulus by any process short of annexation. The main ground on which he based his action was the important one of self-preservation. No one, he pointed out, could sleep within a day's run of the Zulu Border except by sufferance of the Zulu King; and Sir Henry Bulwer, who had been praised over and over again in this discussion, had concurred with Sir Bartle Frere as to the necessity for doing something. On that point there was no marked divergence between Sir Henry Bulwer and the High Commissioner. The Resolution before the House asked them to condemn the action of one of their most distinguished servants, and because he was of opinion that the Resolution, if adopted, would drive out of the Service strong self-reliant Administrators, and would fill it with pliable and plastic officials, he was glad that the Government would not meet it, as they had previously proposed, with the Previous Question, but with a decided and emphatic "No."

Mr. SYNAN said, that as the hon. and gallant Gentleman opposite (Colonel Alexander) had defended the policy of Sir Bartle Frere whilst the Government had censured it, he ought, in consistency, to vote for the Motion. It was a total misapprehension of the Resolution before the House to treat it as it had been treated by many hon. Members, to wander over Blue Books, to keep hon. Members talking about annexation, about Zululand, about the number of wives a man in Zululand was to have, and whether the young women objected to old husbands or not. If they wandered on over all that sort of rubbish they would not be able to divide that night, and perhaps not until next week. The question before the House was a simple and short one. Her Majesty's Government had censured, in the strongest language, the thorough-going policy adopted by their own Governor, Sir Bartle Frere, a policy worthy of the times of Charles I., a policy which had thrown the whole of Africa into confusion, brought disaster upon English soldiers, and placed the Government in a position of difficulty and danger. At the same time, whilst censuring Sir Bartle Frere, they had refused to recall him; and they had failed, in his (Mr. Synan's) opinion, to give any adequate explanation of such a decision. Was Sir Bartle Frere to be left in his post? If they were to say that no other suitable Commissioner could be obtained, then there might be some reason for their policy; but meanwhile he could take no other course than to support the Resolution of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). There had been no concealment by Sir Bartle Frere of his policy before he published his Ultimatum. He went out to South Africa determined to carry out a policy of his own, not only in regard to civil, but in regard to religious and moral matters, and he never concealed from the Colonial Secretary in his despatches that his object was to disturb the Zulus and disarm the other tribes. The Chief Commissioner carried his policy with a high hand, and when he announced to the Secretary of State his intention of sending an Ultimatum to Cetewayo if he did not comply with his terms, the Secretary of State refrained from writing even one single bold despatch, telling him he was on no account to send an Ultimatum and thus offer provocation. At length Sir Bartle Frere acted up to his threat and sent the Ultimatum, which was of a most unrighteous character, unreasonable in its conditions, and one we should never have dared to send to a civilized nation. Down to the disaster at Isandlana the Government pursued an ambiguous policy. They never wrote firmly to Sir Bartle Frere, because they thought it possible he might be successful. They played a waiting race, and it had turned out badly. The Colonial Secretary seemed, in fact, to have been afraid of Sir Bartle Frere, and so allowed him to proceed to measures which, as it had proved, had led to a most disastrous result, while being itself devoid of any moral justification. When the disaster occurred at Isandlana, the Government felt that they had placed themselves in a false position. The duty of a generous, high-minded Government, after all that had occurred, would have been to sustain their Commissioner; but, instead of doing so, they issued a despatch denouncing him in every sense, and yet not replacing him. It was a shabby and impolitic course to condemn Sir Bartle Frere in the language they had done, and then to stand at the last moment on a technical and abstract proposition that they could not recall him. He wondered how hon. Gentlemen opposite could persist in giving their support to a policy which the Government itself had condemned, and condemned in the most emphatic language. To maintain the Chief Commissioner in the position he occupied after his conduct in it had been so strongly condemned was almost to invite a repetition of the disaster which had fallen on our arms. The policy of the Government was one of meanness and trickery—he might almost say of baseness and degradation. Sir Bartle Frere ought to feel insulted, and throw up the whole matter as an offended man, and in that case our position would be worse than it was. The Government had got into a dilemma, for they ought either to have recalled Sir Bartle Frere, or else not to have censured him in the severe terms they had done. From that dilemma nothing could rescue them, except, for a time, the votes of the Tory Party, which, by so supporting them, would fall to a lower level than he (Mr. Synan) had ever thought it would.

Mr. A. MILLS thought the Government were quite able to defend themselves, and all that he should do was to attempt to defend the High Commissioner. Although the speech of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) was a very able one, he much regretted its tone. If the hon. Baronet had known Sir Bartle Frere as well as he (Mr. A. Mills) did, he would never have charged him with miserable petty cavillings, or with an intention to mislead the House of Commons by some expressions in his despatches about "washing spears." In fact, the charge of the hon. Baronet against the High Commissioner was decidedly unfair, as it was evident from the despatches that he had done everything he could to prevent a war, and it was not until he was absolutely obliged that he sent his Ultimatum, and until he felt that the policy of the Zulu King was such as immediately to endanger the safety of the Colony of Natal. Sir Bartle Frere had also been charged with acting in opposition to the judgment of Sir Henry Bulwer and Sir Theophilus Shepstone. He, however, held that the despatches proved that both those gentlemen, far from disagreeing with the High Commissioner, were entirely in accord with him in his policy towards the Zulus. He entirely agreed with that portion of the speech delivered by the hon. Member for Liskeard (Mr. Courtney), in which he alluded to the annexation of the Transvaal. He (Mr. A. Mills) could not help feeling that that act was a most unfortunate one on our part, and one deeply to be regretted. In annexing the Transvaal we had annexed the territory of a country in whose treasury there was about 12*s.* 6*d.*, and which was involved in liabilities amounting to more than £100,000, and whose financial difficulties were by no means the only ones which it had to contend against. It was certain, whether the policy of annexing the Transvaal was right or wrong, that Sir Bartle Frere was not responsible for it, it being perfectly well known that the Commission which, in 1875, gave Sir Theophilus Shepstone power to annex the Transvaal, was dated seven or eight months before Sir Bartle Frere was sent out to Africa; and it was most unjust and unfair, therefore, to introduce the subject of the annexation of the Transvaal into the debate to the detriment of Sir Bartle Frere. At the same time, he could not help thinking that the power to annex the Transvaal, given to Sir Theophilus Shepstone by Lord Carnarvon, was given most unwisely; Sir Bartle Frere was bound to follow up what had already been done by Sir Theophilus Shepstone under his commission, and he ought not, therefore, to have been held responsible. A most remarkable feature of the discussion that had occurred in the House was this—that, while the High Commissioner had been condemned in terms of the greatest severity, the utmost tenderness was shown to the barbarian Potentate the King of the Zulus. It had been said, in palliation of the conduct of Cetewayo, that when he wrote a most defiant despatch to the High Commissioner he had had too much rum. When hon. Gentlemen were asked to entertain such an excuse as that, they would remember what was thought of a plea of drunkenness in this country. A more serious offence than the insolent despatch to Sir Bartle Frere was the raid made by the sons of Sirayo when they captured the two women in the police kraal in British territory. It was said that people would indulge in such conduct now and then; but that was hardly a sufficient excuse for the way in which the sons of Sirayo acted on the particular occasion to which reference was made. It appeared from the evidence of the police-constable at the kraal, that on Wednesday evening, July 24, one of the wives of Sirayo came to the kraal, and that on the following morning two Natives on horseback approached the kraal from one direction, while 16 others approached it from another; that they surrounded the kraal, having been joined by a number of Zulus on foot, and demanded the woman who had entered the kraal on the preceding day; that they were told that the ground they were on was Government ground; that they pushed the seven men in charge aside; that the brother of Sirayo dragged the woman out of the hut; and that other Zulus seized her and knocked out her front teeth, and that while they dragged her on the ground several Zulus stood ready to stab the Government officers in case they should interfere. He had alluded to these details, because he feared that many hon. Gentlemen had not studied the Blue Books containing them with great care relatively to other events of a strongly similar character. He wondered at it the more, when he remembered the indignation which was expressed some time ago in regard to the Fugitive Slave Circular; and as he held that the one outrage was as great as the other, he was at a loss to understand how there should have been so much sympathy shown by the Opposition concerning the one, and none whatever exhibited in regard to the other. He thought that the gentlemen who took such an active part in the agitation respecting the Slave Circular should certainly be consistent, and rouse themselves, and express their indignation at the outrages perpetrated by the barbarous Potentate of Zululand. What would they have said if a difficulty had arisen from the fact that a slavedhow had boarded a British man-of-war and taken from on board of her two slaves who had found refuge there? The case was precisely similar to that of the myrmidons of a drunken and savage King taking two women from the kraal and killing them; but this last was regarded as a light and trifling matter. He was not to be understood, however, as altogether approving of the present *status quo* in South Africa, for he had no sort of approval for the policy of annexation which had been pursued of late years in that country, and he hoped the Government would draw from the existing state of things the useful moral that in future it would be unwise to allow any such motives to actuate their conduct of affairs. He also regretted that some difficulties should have arisen about the organization of some of the mounted South African Forces which were formerly very useful, and which did not want to trouble much about a commissariat, seeing that they could go for several days carrying their own supplies and stores with them. It was very desirable that these Forces should be reorganized under a good system, since it would save a great deal of money, and would teach the Colonists to depend mainly upon themselves for their protection. He could not help thinking also that the Home Government would do well to discourage our Colonists from relying entirely on Imperial troops in carrying on their internal and Frontier wars. They should be taught, as was recommended by a Committee of the House in 1861, that Imperial troops should be employed for the protection of the Colonists only in contingencies arising from Imperial policy—a plan which had been followed by the most excellent results in New Zealand, where, in consequence, there had been for several years unbroken peace. As regarded the Motion, in justice and fairness to a noble and distinguished man—Sir Bartle Frere—who was an esteemed friend of his own, and in the interests of all who had to serve the Crown in distant Colonies, he would heartily vote against it, if only for the purpose of securing in our Colonies the services of men so distinguished as Sir Bartle Frere, against whom the proposal of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) was directed, to the prejudice, not only of all the Representatives of the Crown abroad, but of the best interests of our Colonial Empire.

MR. O'CONNOR POWER, who had the following Notice upon the Paper:—

> "As an Amendment to Sir Charles Dilke's Resolution, to move, That the ultimatum presented to the Zulu King by Sir Bartle Frere was unjustifiable; and that this House condemns the conduct of Her Majesty's Government in not recalling Sir Bartle Frere from the Government of the South African Colonies, and in declining to take proper measures to terminate the war waged by him against an unoffending people,"

said, that the noble Lord the Member for Liverpool (Viscount Sandon) had referred to the possibility of rebellion in South Africa, and had grown eloquent in depicting the horrors of a rising of the Black population against the White. The noble Lord omitted, however, to notice one thing, and that was that if they wanted to be on good terms with the Black population of South Africa, they must treat them as if they were a White population, and that justice was as much due to them as to the civilized race. The speech of the hon. Member who had just sat down (Mr. A. Mills) had not enlightened the House very much on the question at issue arising out of the affairs at South Africa. He (Mr. O'Connor Power), in common with the hon. Gentleman, was opposed to the policy of aggression and annexation by which right hon. Gentlemen had so successfully appealed to the vanity of their countrymen, and he thought they must feel indebted to the Mover and Seconder of the Resolution for the speeches which they had delivered on this subject; but the Resolution itself did not raise the great issue involved in the question which it purported to deal with. That issue was, whether the war against the Zulus was a just or an unjust war. No one who had read the history of this question could doubt that the war was unjust, and that the Queen's Representative in South Africa had, by declaring war against an unoffending people, outraged the liberty of nations and committed a crime against humanity. The speeches made by the Mover and Seconder of the Resolution went directly to establish that proposition; but it was nowhere to be found in the Resolution. The Resolution was couched in very ambiguous terms. They were asked, in the first place, to declare that they were "willing to support Her Majesty's Government in all necessary measures for defending the possessions of Her Majesty in South Africa." Now, if they asked Sir Bartle Frere what was his policy in South Africa, he would tell them that it was to defend the possessions of Her Majesty. He noticed the phrase, "necessary measures," which the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) might consider the saving clause. But they were not discussing an abstract question. The Resolution only expressed

> "Regret that the ultimatum, which was calculated to produce immediate war, should have been presented to the Zulu King without authority from the responsible Advisers of the Crown."

In his (Mr. O'Connor Power's) humble opinion, it was a small matter whether the Ultimatum was sent with or without authority, compared with the question whether it should have been sent at all or not; but that was the very question upon which the Resolution expressed no opinion whatever, and the question he had to put to the hon. Baronet the Member for Chelsea was this—Was the Ultimatum a necessary measure; and if it was not, why did he not say so in the Resolution? He was, however, not at a loss to account for the course which the hon. Baronet the Member for Chelsea pursued. The charges made as to the want of sufficient military preparation, and as to the quarrel between the Government and Sir Bartle Frere, were quite beside the main issue, and he regretted that the language of the hon. Baronet's speech had no counterpart in the terms of his Resolution. The noble Lord the Member for Liverpool had told the House that both Parties in the House were responsible for the annexation of the Transvaal. Each Party in its turn had pursued this policy of annexation in South Africa, and, therefore, the hon. Member was not free to bring forward a Resolution condemning the policy of the Government; for although there might be degrees of responsibility as between one Party and the other, the accusation *tu quoque* might be used by either of the two. If the Resolution was intended to express the views of independent Members below the Gangway on that side of the House, he (Mr. O'Connor Power) should indeed hope that it would speak for the cause of liberty and justice; but he knew that it was intended rather to represent the views of the Gentlemen on the front Opposition Bench who might be called upon at any time to carry on the government of the country; and it was, therefore, considered desirable that they should be free to pursue, at some future period, the policy of their opponents; while, on the other hand, their irresponsible supporters enjoyed the luxury of denouncing that policy to their heart's content. The appetite for conquest and plunder had undoubtedly been excited by the foreign policy of the Government; and it would be hazardous for the hon. Baronet, or any English politician, to resist too strongly the brutal craving which "Jingoism" had impressed on the English public mind. But surely an Irish Representative, whose country had felt throughout centuries of her history the evil effects of an aggressive Imperialism, might candidly utter the sentiments appropriate to this occasion. He then had to declare his thorough detestation of English policy in South Africa, and as it had been pursued towards weak and unarmed nations. There never was a crime committed against God or man which had not been deliberately perpetrated as a piece of State policy in the building up of the British Empire, and these crimes and their perpetrators had always found apologists in England. When Sir Theophilus Shepstone laid violent hands on the Transvaal Republic, a shout of approval arose from the English Press because his violence was successful. Those of them who protested against the acts of the usurper in that House were howled down, and the memory of the crime would have been forgotten in the success which attended its accomplishment, but for the events which had recently taken place. The war was unprovoked and unpatriotic, and he could not but regret that the hon. Baronet the Member for Chelsea had not openly and directly condemned it, and drawn with him into the Lobby 50 or 60 hon. Members who were not afraid to declare their verdict, instead of so framing his Resolution that it would catch the Opposition Leaders and their followers. As to the Zulu King, he had observed what was going on in the Transvaal; he saw that it was being annexed against the protests of the Boers; and he would have been a fool to trust the English. He did not want to be annexed, and when he received the insulting Ultimatum of the High Commissioner, he did what every man of spirit and patriotism would have done under similar circumstances. He rejected the unjust and imperious demands, which he could not concede without dishonour, and, refusing to be the sceptred slave of an English Governor, resolved bravely to fight in defence of his native land. If England acted with justice to Native races, we should not hear of these wars and rumours of wars, and the trade of the country would not be paralyzed as it was at the present time. As to the Amendment, he had placed it upon the Paper as expressing what he believed to be the true feeling of the Irish people on the subject, as well as the views of a large portion of the English nation. He did not, however, intend to move it, because his countrymen, who sat around him, thought it would be unwise to do so, as tending to cause confusion as to the decision of the House on the question, and that a more effective check might be given to the policy of the Government by an united vote in support of the Resolution of censure proposed by the hon. Baronet the Member for Chelsea. He thought, however, that if English Liberalism had anything in it which could sympathize with struggling freedom, it would not content itself with the Resolution which the hon. Baronet had placed upon the Paper, but would go farther, and record an earnest protest against the combined cruelty and hypocrisy of the policy pursued in South Africa, a policy which could not count a single triumph save at the sacrifice of the rights of the brave and the free.

Mr. GORST said, that the present war was very similar to the one that happened in New Zealand, and confirmed the impression held by many that the presence of a number of the Imperial troops in a Colony invariably engendered a war fever. There were always persons who were anxious to employ the Imperial troops in coercing the Native Tribes. There were a great many people who liked the commissariat expenditure, and who failed to see that the money which was spent was a very poor return for the destitution and misery which was brought on a Colony by a war. There were other people who felt that some day or other they would go to war with the Natives, and the question for them was whether they should have that war at once, with the assistance of the Imperial troops, or whether they would wait for a few years and wage it without the assistance of the Home Government. Under these circumstances, the Governor of a Colony was the person who ought to consider the Imperial interests; but he (Mr. Gorst) feared that he looked to those people about him and was influenced by their opinions, and did not follow the hesitating advice which he received from Downing Street, the result being that, almost invariably, he ended, in a time of excitement, by becoming the victim of the prevailing epidemic. He had also learned how utterly untrustworthy the information was which came from the Colony, and he had seen in the course of this debate Blue Books treated as if they were Holy Writ. He believed that the Papers before them contained only a very small part of the truth—only that part which it was convenient to the War Party to make known to the Colony. The whole of the Native story was unheard. He further learned how utterly impotent the Government at home was to check the war feeling in a Colony. The case of Zululand was nothing more than the old story over again; and he did not think he had heard any speaker yet, not even the Colonial Secretary himself, support the policy of the Home Government. There was, no doubt, some difficulty in doing it, because it was necessary to censure Sir Fartle Frere, and, at the same time, to be cautious in the censure so as not to raise the question why he had not been recalled. The Government were between Scylla and Charybdis. There had been a war fever in the Colony of Natal; but he did not think Sir Bartle Frere had ever caught it so long as he remained in Cape Town. Lord Chelmsford was the first person who caught it, and he wrote a despatch to Sir Bartle Frere, telling him of the existence of a strong war feeling in Natal, and expressing his opinion that war with the Zulus would become necessary. It was worthy of notice that Sir Bartle Frere, in sending home Lord Chelmsford's despatch, did so without observation. At the same time, he asked for reinforcements not for the purpose of making war on the Zulus, but for the purpose of putting down a possible rising of the Zulus in Natal and the Transvaal. The answer of Her Majesty's Government on 17th October was an absolute refusal to send any reinforcements whatever, and at that time the Government could not do more to discourage war. That communication was the only communication which Sir Bartle Frere had when he sent in his Ultimatum. The next despatch from Her Majesty's Government was that of 21st November, in which it was distinctly stated that although they sent out two regiments to the Cape, they were not disposed to furnish the means for a campaign or conquest, but only for preserving the lives and property of the Colonists. That implied that the High Commissioner was told to avoid war with the King of the Zulus; but yet the troops were used for that very purpose. Now, the fate of that despatch was remarkable, because he could not find any acknowledgment of it in the Blue Book, and yet Sir Bartle Frere must have received that despatch at a very critical moment—between the time he sent the Ultimatum and the time Lord Chelmsford marched into the country. He should like to know why that despatch did not stop Sir Bartle Frere from beginning the war? Up to that point the Government had done as much as they could to prevent the breaking out of war. The Government had done everything at home to prevent the war; but, with the knowledge of all the facts, he blamed them for writing the despatch of the 21st of November, in which they approved of what they had before disapproved, and if it had not been for the disaster at Isandlana, they would never have heard of any censure of Sir Bartle Frere, although one or two crotchety Members below the Gangway on both sides of the House might have protested against that cruelty and injustice, and inquired what necessity there was for it. If our Army had been successful, and the Zulu King had been subdued, and peace obtained at a comparatively small expenditure of blood and treasure, Her Majesty's Government, like others who had gone before them, would have condoned the act of the High Commissioner, and the House would not have heard a breath of censure on the Government. One good result had followed this unfortunate war, and that was that the attention of the House of Commons and the country had been attracted to the vicious system of our Colonial Government, whereby these wars appeared periodically to occur. The Government had to consider what course they would take when they became aware of the facts, and they could do no other than condemn the action of Sir Bartle Frere. He attached very little importance to the Ultimatum sent by Sir Bartle Frere to Cetewayo, except as an expression of the views of the High Commissioner himself at the time he entered upon the war. Such Ultimatums were not so much intended for the Native Kings to whom they were sent as for the House of Commons, with a view to the justification of hostilities. As a proof of this he would remind hon. Members of the Ultimatum in the New Zealand War, which was not sent out until after the war had actually commenced. A greater reproof than the one contained in the despatch of the 19th March could not have been passed upon the conduct of a public officer than that passed upon Sir Bartle Frere; but it was somewhat inconsistent, because, if the circumstances were not so urgent as to require immediate war, it could not have been right to go to war at all. The Resolution, as first put on the Paper, aimed far more at the system than the persons, and that he should have supported most cordially, and then an addition was made to it which, it was said, amounted to a censure on Her Majesty's Government, and, because of that, hon. Members were asked to negative the earlier part of the Resolution, which was a mere echo of the words used by Her Majesty's Government in their own despatch. To vote for the Resolution would be to vote for a Vote of Censure on the Government, and to negative it would be to negative what was his most earnest and fervent belief; and, therefore, he had to look more narrowly into the Resolution, and, having done so, he could not see that it was a Vote of Censure on the Government, but it was one, no doubt, on Sir Bartle Frere, and if passed by a majority of that House it must lead to Sir Bartle Frere's resignation; but he had no wish to condemn him. But if the Resolution was carried, would Her Majesty's Government resign? He did not think that they would. He was sure they ought not, because the Resolution as it then stood simply expressed a feeling common to most hon. Members, and that the vast majority of the people would regret that Her Majesty's Government should have found themselves in a position to be obliged to pass such a censure on a public servant that must drive him from his post. He would assume that the real reason given for not recalling Sir Bartle Frere was that given by Her Majesty's Government, that there was no person of sufficient administrative ability to take his place; but, at the same time, he was sorry that the country was reduced to so low an ebb. He had given the subject a most conscientious consideration, and feeling assured that, although the Resolution if carried might lead to the resignation of Sir Bartle Frere, it would do no harm to Her Majesty's Government, he should vote for it. At the same time, he wished to declare that he had no desire to censure Sir Bartle Frere, and, also, that he had no desire to censure Her Majesty's Government; because he thought they had only done what previous Governments had done over and over again, and what their opponents would have done if they had been sitting in their places; but he wished to enter a protest against a course of action which was calculated to involve the country periodically in ignoble wars.

Sir WILLIAM HARCOURT said, he could relieve the hon. and learned Member who had just resumed his seat (Mr. Gorst) from his apprehension that Her Majesty's Government would resign if the Resolution of the hon. Member for Chelsea (Sir Charles W. Dilke) was carried, because Her Majesty's Government had laid down a principle that it was not the duty of any servant of the Crown, although he might have received the severest censure, to resign; and it was, therefore, clearly not the duty of the Government to resign if this Vote of Censure was carried, even if it were far more severe than it was. He could also sympathize with the hon. and learned Member in his surprise that the noble Lord the President of the Board of Trade should have said to-night that they could not find any man of equal administrative ability to replace Sir Bartle Frere, and should have appealed to them—he might almost say to himself (Sir William Harcourt) personally—to say who should be put in his place. He thought, indeed, the noble Lord had went so far as to use the word intrigue, and to say that the front Bench were engaged in an intrigue to supplant Sir Bartle Frere in order to put in his place the right hon. Baronet the Member for Tamworth. If it were necessary to disavow any combination of that sort he would do it frankly, and the more so as he was told the right hon. Baronet was going to vote with Her Majesty's Government to-night. [SIR ROBERT PEEL: No, I am not.] But they did not desire to interfere with Her Majesty's Government's right of selecting officers for the Public Service, because they had observed that when Her Majesty's Government had got public affairs into an irretrievable mess, they always filled up the vacant appointments from the Liberal Benches, and, therefore, when the next High Commissioner was appointed for South Africa—and he hoped it might be soon—he was certain Her Majesty's Government would make as admirable a selection as they had made on recent occasions. They had been waiting for some time to hear what the answer of the Government was to the Motion, but they had not heard it yet; and this, he said, even after listening to the speech of the noble Lord the President of the Board of Trade. His noble Friend had been unusually testy to-night for a man of his good humour; but he had a very bad case, and so found it difficult to make a good speech. It was, however, impossible to repress a smile at some of his arguments, as when he told them that one of the reasons for retaining Sir Bartle Frere at his post was that his breast was covered with decorations. He (Sir William Harcourt) understood the Government were prepared to say this—"We have blamed Sir Bartle Frere for one thing, and for one thing only—for making war without leave." That he entirely disputed. He would remind the House what the questions were on which the Government had condemned Sir Bartle Frere; and he ventured to say there was not one single important question involved in the politics in South Africa upon which Her Majesty's Government had not denounced, repudiated, and condemned his judgment. This was the point he wished to bring under the attention of the House. It was unnecessary for him to go into details, because the hon. Baronet the Member for Chelsea, in his luminous and exhaustive speech, had bound in an unbroken chain the evidence of the misconduct and misjudgment of Sir Bartle Frere. The noble Lord the President of the Board of Trade had said they could not touch the question of the annexation of the Transvaal, because they had themselves been consenting parties to it. The noble Lord made out the whole point of the charge against Sir Bartle Frere to be connected with the Transvaal. But the charge was one equally valid in the minds of those who approved and of those who disapproved of the annexation. Those who approved the annexation, in common with himself, thought it was a necessary measure in consequence of the state of things which the unjust encroachments of the Boers had produced by exasperating the feelings of the Zulus, and their opinion was that the English Government were going to take the place of the Boers, not to conduct themselves as the Boers had done, but to behave in exactly an opposite manner. They thought the business of the English Government would be to redress the wrong the Boers had inflicted on the Zulus. Their charge against Sir Bartle Frere was that he perverted the whole objects of the annexation; that he had made himself the partizan of the Boers; and that, instead of conciliating the Zulus by justice, he aggravated them by bringing the power of England to support the encroachments, oppressions, and wrongs inflicted by the Boers. That was their case, and the noble Lord was entirely mistaken in saying that they must not touch the question of the Transvaal. Sir Bartle Frere said himself—

> "The exasperation of the Zulus was produced entirely by the annexation of the Transvaal."

This was in a despatch of November 5. He continued—

> "The Zulus believed that we were an unencroaching Power; that we were well inclined to see justice done to them especially in their relations with the Transvaal, whose Government, owing to its habits of encroachment, they regarded as hostile to the Native races. A great change has been made in the feelings both of the Zulus and of the Boers since the annexation."

Why? Because the Zulus found we were following in the footsteps of, and doing the same thing the Boers had been doing. What was the proper remedy? It was to have done instant justice to the Zulus; to have set on foot without delay that arbitration which Sir Bartle Frere delayed by every form of obstruction, chicane, and quibble. What did Cetewayo complain of? He said, more than once, Sir Bartle Frere was hiding the message of peace which had come from beyond the seas, and the right hon. Baronet the Colonial Secretary said he was right in so saying. [Sir MICHAEL HICKS-BEACH: No, no!] He would not take up the time of the House by turning up the Blue Book; but he was perfectly certain that in a despatch—he thought it was the despatch of the 17th of October—the Government referred to these very words of Cetewayo's, and urged Sir Bartle Frere to send in the award, because he thought there was some grounds for the complaint. Sir Bartle Frere delayed the award, as they all knew, and Sir Henry Bulwer remonstrated; and all this time Sir Bartle Frere was advancing these Scriptural arguments to which the hon. Baronet the Member for Chelsea had referred—that the Boers had the title of the Children of Israel, a much better title than the Children of Israel could pretend to. That was an awkward argument for the Government. What would Conservative landlords and M.P.'s say to the English Boer who should tell them that the land was theirs on a better title than the conveyances by which they held? He had never read such rubbish in his life as Sir Bartle Frere's arguments against the rights of the Zulus in these lands. They were arguments which would disqualify a man who might urge them for the office of parish beadle, let alone that of High Commissioner. Ultimately, he had to concede the award. But how did he concede it? With conditions the most unjust that were ever appended to an act of restitution. He said he would give back the lands on the condition that the men who were wrongfully occupying should not be disturbed, and an English Resident was to be appointed in order to see that they were not disturbed. He (Sir William Harcourt) wondered the Colonial Secretary had had the courage to refer to Irish land. Were they going to have an English Resident established in Ireland to see that no tenant should be disturbed in his holding by the landlord for non-payment of rent or other lawful reason? What was the meaning of such extraordinary conduct on the part of Sir Bartle Frere? They knew it, from Sir Bartle Frere's own words. He said—

> "The acquiescence of the majority of the Boers in annexation depends directly on our success with the Zulus."

That was the secret of the whole thing. To borrow one of Sir Bartle Frere's own Scriptural illustrations, it might be said that when the High Commissioner Nathan was sent to give back the ewe lamb taken by David, he went and delivered an ultimatum to Naboth—that was the nature of the arbitration of Sir Bartle Frere. He asked again, had Her Majesty's Government themselves much confidence in Sir Bartle Frere? They said that although he had offended in one point they trusted him in everything else. Did they? The noble Lord the President of the Board of Trade had said that night that Sir Bartle Frere had seen the Mutiny in India, and knew that Natal was going to be invaded, and, therefore, he took instant measures to prevent the occurrence of such a calamity. But what was the view which Her Majesty's Government had taken of the subject at the time? On the 10th of September Sir Bartle Frere asked for more troops. If the Government trusted their High Commissioner on any matter, it would be on a point so vital to the defence of the Colony as the number of troops required. But what did the Government do in reply to this demand from this man of ability, experience, and judgment, who they said knew more about the Cape of Good Hope than anybody else, and whom it was impossible to replace? Why, they said—"Her Majesty's Government are not prepared to comply with your request for reinforcements." Was that the way for the Government to display their confidence in their High Commissioner? He put Her Majesty's Government in this dilemma—if Sir Bartle Frere was a man of sound judgment, ability, and knowledge, what was their own conduct in refusing to send him the troops he asked for? But if the Government were right in not sending the troops, then Sir Bartle Frere was a man whose judgment could not be trusted. Sir Bartle Frere, in a subsequent despatch, expressed the greatest surprise at the distrust with which the Government appeared to listen to him, and said—

"I do not know what you mean when you say you have received no information to justify you in sending troops. I have been giving you information all these 12 months which ought to have satisfied you that the troops asked for were necessary."

The Colonial Secretary said the other night that he did not hear of the Ultimatum until December 11. He was mistaken in that. [Sir MICHAEL HICKS-BEACH: What I referred to was no hint of an aggressive policy.] He thought the right hon. Baronet had forgotten it. No doubt, the news of a regular Ultimatum was only sent on the 5th November, which would reach the Colonial Office about the 11th of December; and it was in a despatch of the 30th September that the formidable word "Ultimatum" first appeared. Sir Bartle Frere said in that despatch that, unless the men concerned in the case of Sirayo were given up, it would be necessary to send to the Zulu King an Ultimatum which must put an end to pacific relations with our neighbours. Was not that, he asked, a full and distinct intimation of an aggressive policy? It appeared to have escaped the attention of the Colonial Secretary. It would be observed that Sir Henry Bulwer, who had originally demanded the surrender of the men, said he would have been satisfied with taking a fine, a fine which was to be levied on the whole nation, and not upon an individual only. The Ultimatum was framed on the 14th of October last, but it was not sent home—that was part of the misconduct he attributed to Sir Bartle Frere. It was not until a month afterwards that he thought right to communicate its purport to the Home Government. Her Majesty's Government waited three weeks after receiving Sir Bartle Frere's despatch, and did not make up their minds to send troops. What sort of confidence was that? And when they did make up their minds to send troops, they said to him—"You are not to employ these troops for the purpose for which you asked for them." That appeared to him the fullest proof of want of confidence that they could show towards a public servant such as their High Commissioner. Taking another point, a difference of opinion arose between Sir Bartle Frere and the Home Government on the question whether the missionaries within the territory of the Native Tribes should be supported by the sword. He did not quarrel with the decision of Her Majesty's Government on the point, because it was just and proper; but they again showed the utmost distrust of his judgment, for they were obliged to tell their High Commissioner that he was entirely wrong in reference to the most material question that could affect the relations between Black and White men. Then there was the case of the Coronation promises. The Colonial Secretary had declined to accept Sir Bartle Frere's view of those promises, and declared that he put the matter entirely too high, and that the enforcement of those promises was a duty which they were not, and ought not, to undertake. But on this point also Her Majesty's Government and Sir Bartle Frere were directly opposed in opinion. He now came to the greatest question of all—namely, that of annexation. Did Sir Bartle Frere contemplate annexation? If they looked at his latest despatch after the Isandlana disaster—the despatch dated the 3rd February—they would there find the whole scheme for making a profit out of the matter by taxation. Therefore, it was clear that he had adopted, in its integrity and entirety, the principle of annexation which they condemned. Again, he asked, what was their opinion of the judgment of that man, who, upon every practical point affecting policy in South Africa, had come to one conclusion while they arrived at another? Look at his conduct in June. He wrote telling Sir Henry Bulwer that they would be invaded in Natal, and Sir Henry Bulwer, being the Governor of Natal, was very much surprised at such a statement, and said that the only danger he could see was that troops should be sent into Natal, and thus cause Cetewayo to suspect that they did not want to play fair with him. Sir Bartle Frere, however, did send the troops, and then, as Sir Henry Bulwer had predicted, took place the collection of the Zulu troops which were called "hunting parties." What could be the confidence of the Government in this man? He knew the Government disapproved of his proposal, and that they had refused him the troops he asked for. He said himself—"The force at our disposal is not as large as we think necessary;" and then, after the Government had refused to send him more troops, he delivered the Ultimatum, which led to immediate war. And that was the man of ability, wisdom, and judgment, who, they said, was to be approved in the control of South African affairs. He (Sir William Harcourt) never heard of a man so condemned by his own acts and by the judgment of the Government who sustained him. Having said all these things in his despatches of September and December, then came the great disaster of Isandlana, and he found himself called upon to account for his not having waited for more troops. He replied—

> "I took the best advice that was available. I consulted all the people who knew best, and they told me that the Zulus would never resist at all."

What were they to say of the judgment and consistency of such a man? Look, again, at his style; look at the temper, at the dignity of his despatches! For example, there was the despatch of December 2, which he (Sir William Harcourt) was ashamed to see laid upon the Table—it was so unlike what they were accustomed to see in the writings of English Ministers. He alluded to the despatch in which Sir Bartle Frere indulged in a denunciation of an array of "celibate man-slayers," and talked about celibate soldiers as if he were on a Protestant platform denouncing the celibacy of the clergy. He had always understood that soldiers, as a general rule, were unmarried, and as to their being man-slayers, that was an epithet which applied to most of the Armies of the world. When he looked at the temper, at the want of fairness, at the want of directness, at the want of dignity, by which those despatches were characterized—when he looked at the evident determination to make out a foregone case from first to last—he must say he thought they were amongst the least creditable Papers which had ever been laid upon the Table of the House. He would give one sentence as a sample. Sir Bartle Frere found it was not very consistent with his view of the case that Cetewayo with 40,000 men did not invade Natal when they were engaged in a struggle with the Basutos; and how did their High Commissioner account for it? He said—

> "I can give no reason, save the half-heartedness of a suspicious barbarian, disgusted with his not having taken advantage of the many favourable opportunities which have presented themselves in our difficulties during the last 18 months."

How could they deal with a man who put such an interpretation even upon the friendly acts of his neighbour? He (Sir William Harcourt) said Her Majesty's Government had not trusted Sir Bartle Frere. They had condemned his judgment on every material point. Their distrust was shown most completely in their last despatch. Was there ever any servant of the British Crown in such a position and at such a distance from their communications as Sir Bartle Frere was, whom they would have tied and fettered down as they had tied and fettered down their Commissioner in South Africa? He had been told that he was not to make peace; that he was not to enter into any terms before they were first submitted for approval at home. That despatch showed one of two things—either that that was the rule which he ought to have followed originally—and then how grossly he had offended—or, if it were not, that they were imposing conditions upon him because of their distrust of his judgment and discretion. What was the meaning of that disobedience on the part of Sir Bartle Frere? What was the meaning of the contempt with which he had treated Her Majesty's Government—a contempt to which he (Sir William Harcourt) believed no Administration had ever been exposed before? In his opinion, it arose from the feeble action of the Government themselves. Throughout the whole of these transactions it was perfectly plain that the Government had had no policy of their own. They had differed from Sir Bartle Frere in many things he had suggested, and he (Sir William Harcourt) thought they had been right in doing so; but they had had no positive, no constructive policy whatsoever with reference to South Africa. For that reason, the policy of Sir Bartle Frere had prevailed against the feeble remonstrances of Her Majesty's Government. He had read the despatches of the Colonial Secretary, and he thought they were admirable. They were exactly the writings of one of those well-meaning men who were never able to give effect to their intentions. In a single sentence he thought he could paraphrase them pretty accurately thus—"My dear Sir Bartle Frere;

I cannot think you are right. Indeed, I think you are very wrong; but then, after all, I feel you know a great deal better than I do. I hope you won't do what you are going to do; but if you do, I hope it will turn out well." That was the policy of Her Majesty's Government. The Colonial Secretary controlling Sir Bartle Frere! They might as well put a boy four years old on the back of a pulling-horse, and tell him not to rush his fences. The British Empire resembled the chariot of the Sun, that made the circle of the globe and passed through all the signs of the Ecliptic; but whether it was to carry with it benignant warmth and life, or devasting flame, depended on the character of the hands that controlled the coursers; and he thought they had seen a little of what had happened to the chariot of the British Empire in the hands of the Gloucestershire Phæton, who had set the world on fire in South Africa, and of whom it might possibly be said—

"Nec scit qua sit iter, nec si sciat imperat illis."

The Government had no policy, and Sir Bartle Frere had not the right one. Even now the despatches of the Government contained no distinctive policy. They had not made up their minds as to whether Sir Bartle Frere was right or wrong. But if they had not done so, Sir Bartle Frere had made up his mind on the point a long time ago; and so long as the Government were in that unhappy molluscous state of mind on the subject, things in South Africa would go on pretty much as hitherto. But the Government said—"Oh, we have censured Sir Bartle Frere!" When did they censure him? His offence was complete on the 12th of December, and they knew all the circumstances of it when they sent out the despatch of the 23rd of January, expressing surprise that he had not waited for their consent before sending the Ultimatum. On February 12, more despatches were received, and still no censure was expressed. On March 6, all the documents now in their possession were in the hands of the Government, who did not even then, in the despatch of that date, censure Sir Bartle Frere; but he wished to know why they did not then do so? The fact was, his hon. Friend the Member for Chelsea had put down his Resolution on the Notice Paper on that day; the Cabinet met the next day, and the censure of Sir Bartle Frere appeared the day after. That was the history of the censure of the High Commissioner. The censure was sufficient, argued the noble Lord the President of the Board of Trade, because censure ought to depend on the gravity of the offence. The gravity of the offence! What offence in the world, he should like to know, was there graver than that a man, on his own authority, should embark the country in a war, in which, if the Government had been allowed time to consider the question, we should never have been involved? But now people said that, having entered upon the war, we must go on with it. Why, that was the very reason why the Government ought most condignly to visit with reprobation the conduct of the man who got them into such a state of affairs, and who had thereby obliged them to go on with that war. He should like to know how, in the future, any other Governor, or Governor General, or High Commissioner, who, in spite of the Government, made war, was to be dismissed from his position? Might he not turn round and say—"You did not dismiss Sir Bartle Frere; how dare you pronounce the offence I have committed to be of a graver character than his?" But he had a still more serious question to ask before he sat down, and it was whether the censure passed upon Sir Bartle Frere by the Government was a *bonâ fide* censure, or merely a Parliamentary manœuvre? His right hon. Friend the Member for Tamworth the other night reminded the House that there was a commentary on that censure, which threw upon it a good deal of light. It was said that the objects of the war should not be too minutely criticized, for that wars in South Africa were not to be justified on the same grounds which would be considered necessary in Europe. The House had been told that we had imposed the Empire of England, by means of a handful of men, on vast multitudes of human beings, by acting on a principle which had been enunciated in another crisis—boldness, boldness, boldness. It had been stated that Sir Bartle Frere had improved—that was the word—and extended his Indian experience; and that, although he might have exhibited a courage verging on rashness, yet that was the manner in which our Empire grew. Such was the commentary on the censure passed by the Government on the High Commissioner; but what, he would ask, was the meaning of that language? It might, he thought, be conveyed in a very well known phrase — "Guilty, but do it again." It meant—"Never mind the Parliamentary censure. We found an awkward Resolution put down on the Notice Paper by the Member for Chelsea, and we were obliged to embody this censure in our despatch; but yours, nevertheless, are the right principles by which the Empire of England has grown —boldness, boldness, boldness; by all means let us have the courage that borders on rashness." The House would recollect the story of the battle of Navarino, when Her Majesty's Government, having occasion to notice it in their despatches as an untoward event, it was always supposed that another despatch had gone out from an illustrious quarter in the laconic form, "Go it, Ned." Now, so far as he understood it, it seemed to him that in this matter the Government, while breathing censure in their despatches, really meant, "Go it, Bartle." That was the real meaning of the speeches. He thought Sir Bartle Frere thoroughly understood this underground railway, this sort of intimation as to what the censure of the despatch really meant. There was, he might add, a very significant sentence in one of the despatches—that of November 5—in which, to tempt the English Government to send him more troops, the High Commissioner informed the Government that any troops which they might then send out might, in a few months, pass on to India, improved in organization and training; and that they would arrive in ample time for service on the North-Western Frontier. Now what, he should like to ask, did that sentence mean? Why, it meant—"Send me troops, I will wash their spears; I will blood their hands, and I will then send them a grand tour of annexation round the world, all the better for their South African tour." That was the intimation with which Sir Bartle Frere conveyed his request for troops. These were not the things that a nation had to look to in a matter of this kind. They said they did not mean this. He dared say they did not. They said they would stop, but they could not stop. They told them they were going to stop it at the Frontier in Afghanistan, but they had not done so. When once they began in that course, it was not them but their pro-Consuls who determined the policy of the country. When he listened to such language as that which he heard from the political Conservative Danton who presided over Her Majesty's Foreign Office, who told them, in the language of 1793, to make war upon the rights of everybody all over the world, it seemed to him that they had no prospect of peace for their country, and that they were encouraging their pro-Consuls to do the very thing which they condemned them for doing; and he asked them whether the course they were taking that night would control the policy of aggression in South Africa or anywhere else? They promised them repose in South Africa. How were they going to get it? They promised them repose in India. What had become of it? They told them they had not sent an Ultimatum to Burmah. He dared say they had not, but could they be sure that no one else had? They told them they had given them peace with honour; but it was a peace which had to be supported by an expedition. In his opinion, the outlook was very dark in South Africa, as it was elsewhere. They had chosen their path in South Africa, and they were drifting on without a policy and without a compass, and they had at the helm a pilot whose judgment they had condemned at every point in that difficult navigation. They had discredited the authorities by the censure they had passed upon them, and they must take the responsibility of the course which they had not approved, but which they were determined to support, and upon them would fall all the burden of the trouble which had come, which was yet to come—of the blood which had been shed, and of the blood which, he feared, would yet be shed. Their course was perfectly clear. They, by this Resolution, would condemn the conduct of the man who had brought them and the nation into the situation which they now found themselves. They refused to accept the consequences of his policy and of his conduct, and they would free their consciences that night from the intolerable burden of a policy which had brought them sorrow, shame, and disaster, and which would bring them neither advantage nor honour in success.

Mr. O'DONNELL said, it was not his intention to trouble the House at any great length; but as the Resolution before the House did not correspond to the enormity of the offence this country had to consider, he would make a few remarks in regard to the important issues which were raised. Looking at all the circumstances of the case, he was prepared to give his vote to the Resolution which had been proposed by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). At the same time, he almost felt strongly for Sir Bartle Frere. Had he succeeded, he would not have been labouring under the present censure. He heartily agreed with the hon. and learned Member for the City of Oxford (Sir William Harcourt), in regard to what he described as the utterly absurd and untenable objections of Sir Bartle Frere to the Sovereignty of the Zulu Monarch; but they could not be more untenable than the objections to the Transvaal policy, which was ratified by the leading Members of the Liberal Party two years ago. The debate that night would terminate in a vote in favour of the Government, for too many interests were bound up with the maintenance in power of the present Administration for any chance of a vote being taken on the merits of the question. There were too many reforms to be opposed in England, too many reforms to be opposed in Ireland, for any hon. Members who supported the existing abuses to be tempted by any consideration to unseat a Government which was the protector of all those abuses. He would not go over the ground which had been traversed by able speakers who sat on this side of the House, and by some speakers, to their honour be it said, who sat on the other side; but he would ask the House to bear with him for a few moments while he ventured to call attention to some abuses in the South African policy of the Government, which were likely to continue long after the decision on the present question had been determined, and long after the dispute had been settled with the Zulu King and the Zulu nation. There were other territories in Africa which this policy also affected. When they resolved upon oppressing a race, merely because its colour differed from their own, there were no limits to aggression. The greed and lust of power which had brought them to the Tugela could bring them to the Zambesi. Her Majesty's Government had censured Sir Bartle Frere; but they had only censured him because he had been unsuccessful. Again and again in the course of last year, and on previous occasions, he (Mr. O'Donnell) had brought before the Government authentic accounts of oppression in South Africa, and had called attention to the policy which was driving Native Tribes into rebellion; but all the reply he got was that the accounts were incredible, and that Sir Bartle Frere was a high-minded citizen, who had served the State, and, above all, that he was a good man. Until Sir Bartle Frere failed, the Government had not a fault to find with him. What was the policy he carried out, with the full sanction of the Government? It was a policy which was of the worst possible kind and of a most inhuman character, the policy of the most aggressive and annexationist of European Colonists in South Africa. He could, if he chose, quote many instances from the Blue Books to show that, under the British flag and in the name of Her Majesty the Queen, there had been committed, as a regular portion of warfare, acts which would excite universal horror if they had been committed by Bashi-Bazouks. Village-burning had been carried on systematically; and not only were the guilty members of a tribe punished, but even where, as in the case of the Gaikas, only a portion of the tribe rose against us, the whole tribe was punished. In extracts chosen from the reports of missionaries with the view of impressing public opinion in this country, they found it confessed that innocent persons had been driven from their homes by the torch and the bayonet. All the confiscated land went to swell the land reserve at the disposal of the South African Government, which itself was in the hands of the landjobbers of South Africa. They could not speak to a man of experience and standing come home from South Africa who would not tell them by name officials of the Government mixed up with these land operations. The work of so-called civilization in South Africa seemed to be carried out with an unscrupulous cruelty, such as was a disgrace to any nation. Compulsory servitude and practical slavery accompanied the march of the British Armies in the Colonies. He would not delay the House; but he was obliged to refer to two or three extracts in the very imperfect Papers which had been presented to Parliament, just to give a sample of how the work of the Government was carried on in South Africa. This appeared to be the kind of procedure which took place. A battle occurred very often, the tribe avoiding the fight as long as possible, and the men were then driven off. Property was seized, the cattle was divided amongst the troops and the Volunteers, and especially the Volunteers. In fact, Sir Arthur Cunynghame, the late Lieutenant Governor and Commander-in-Chief in Africa, had himself to say, when speaking of the Volunteers, that "those heroes fought for cattle and not for country." The pages of the Blue Book were pages of shame not to be excelled in the history of any country, no matter how ruthless, no matter how degraded. Here was another instance of how the principle worked. In a despatch from Colonel Bellairs, commanding the Eastern Frontier, there was an account of some operations which, it was stated, had been brought to a successful termination. The despatch said—

> "The successful operations resulted in the complete dispersion of the enemy and the capture of enormous herds of their cattle. The right column came up with some Kaffirs in the bush, and they made no stand, and were quickly dislodged."

What a record of British valour! But this colonel was evidently a humane soldier, for he put in his despatch the following—

> "I desire to point out that the condition of the women and children is most deplorable—left by the rebels to shift by themselves."

But why were they left to shift for themselves? Simply because if the men had remained they would have been shot, The despatch went on—

> "Their habitations burned, their meal-pits destroyed, and their cattle captured."

And by whom? By English soldiers. He had letters written by men at least as good as Sir Bartle Frere, by philanthropists who had in many a country of the world done their utmost—and often he was happy to say with success—to remedy the horrors of operations like those of the present Government. Gentlemen told him of the way in which hundreds and thousands of Native women and children were deprived of their food, and land, and natural protectors, and were hired out as apprentices and enslaved to the Colonial farmers. There was a positive competition among the Colonial farmers for the services of these poor serfs, and several parts of the Blue Books were literally unctuous with descriptions of the good which must accrue to the poor Native children from being taken from their own families and placed in the bosom of Europeans. No doubt, many of them had been tempted to shed sentimental cheers over the separation of Negro families in the United States of America; but, to its honour, the great Republic beyond the Atlantic had swept away for ever the stain of slavery; and behold it now rising again on the African Continent under the protection of Her Majesty's Government, and under the disguise of indenture and apprentice! One of the many reasons given for dealing with the Boers was that they were addicted to kidnapping. It now appeared that Her Majesty's Government were the lawful successors of the Boers. He did not think he had been wrong in venturing to introduce these matters into the debate. Now, the upshot of these proceedings in South Africa, if the present Government policy was to continue, and if the party of aggression was to be still further encouraged and fostered, would be, disguise it as they might, the practical establishment of a Slave State in South Africa. They dared not elevate these conquered and ground-down millions of Blacks; they dared not give them the franchise or arms, because they knew they would be outnumbered. They were bribing the Whites by giving them unlimited power over the Native races, and there could be no triumph that would be more fatal to the policy and prestige of this country and Empire. He regretted that he could not, on the present occasion, go more fully into this matter; but he had confidence that there would still be many independent Members on both sides, and many crotchety Members on both sides, who would continue to be sufficiently independent and sufficiently determined to pursue the subject amid all the vicissitudes of Parliamentary Party warfare, and who would keep steadily in view the cause of humanity, and neither for the English flag, nor the Dutch flag, nor for any other flag would permit the system of steady oppression of weaker races, which appeared to have been the main object of the British Government, especially since the accession of the present Advisers of Her Majesty.

MR. CHAPLIN said, he felt he owed an apology to the House for entreating their attention for a few minutes, because the opinions he held with regard to the conduct of Sir Bartle Frere were not held by the majority of the House. It was not within his province to defend the language of the Government despatches against the attacks of the hon. and learned Member for Oxford (Sir William Harcourt); but when the hon. and learned Member proceeded to say that the Government had not made up their minds as to whether Sir Bartle Frere was wrong, and that they were encouraging their pro-Consuls in every part of the world to do the very same thing, he must be permitted to say that was not strictly accurate. The Government not only pointed out that Sir Bartle Frere was wrong, but that he was very wrong indeed, and on that ground the statement of the hon. and learned Gentleman fell entirely to the ground. The hon. and learned Member expressed a hope that a new High Commissioner would shortly replace Sir Bartle Frere. He could not share that hope, any more than he was able to join in the grave indictment against Sir Bartle Frere, which he pointed out was mainly contained in the speech of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). He had listened to that speech with close attention, and if it were not presumption, he would venture to say that his speech on that occasion was probably the ablest of all the able speeches he had delivered in that House. But, in his humble opinion, that speech was also marked throughout by one great and fatal defect—the spirit of uncompromising and bitter animosity against Sir Bartle Frere. He said he ought at once to be recalled; but he must be permitted to point out that if one tithe of the charges brought against him were true, recall would be a punishment quite inadequate for one so guilty as the High Commissioner. What was the charge brought against him? That he had entered on an unjust, a wanton, and unnecessary war; that he was determined to go on with that war; he was so intent on war, that he was even more anxious than Cetewayo himself to "wash his spears" in blood. He regretted, indeed, to hear that observation fall from the hon. Baronet. He said he had withheld from the Government what he ought not to have withheld, and communicated to them what he ought to have withheld. He thought he had said almost enough of the indictment brought against Sir Bartle Frere. The hon. and learned Member for Oxford had indulged in cavils, quibbles, and chicane against him. He would not refer to the want of temper, coolness, judgment, dignity, calmness, charged against Sir Bartle Frere. To those who knew him it would sound strange indeed to hear such charges. Be it his task to endeavour to the utmost of his ability to defend an absent man, an able, courageous English gentleman, placed in a position of the utmost danger and difficulty, and one, moreover, of exceptional responsibility, which even yet many hon. Members had failed to estimate rightly. He had been most unfairly and cruelly aspersed, and was still, if ever he was, entitled to confidence, and was as undeserving of the censure the Government had passed as of that this House was asked to pass. When he left England for the Cape it was entirely against his own convenience and wishes, and at no small self-sacrifice; he was actuated by a sense of public duty, and when he arrived at the Cape, it was with no predisposition in favour of the course he had since so persistently pursued. On the contrary, at that time, and afterwards when he arrived at the Frontier, Sir Bartle Frere, like many in this House, had possessed imperfect information, and, as he had told us, was incredulous as to the existence of any common hostile feeling among the Native Tribes towards the White man. After his arrival, being a man of great natural intelligence and perception, quickened by experience in all parts of the world, and animated by an integrity of purpose which would not suffer him for a moment to resist conclusions forced upon him by overwhelming evidence, he became gradually and surely convinced, on his arrival at the

Frontier, that there was a widespread understanding among the Native Tribes that the time had arrived when the domination of the Black race by the White race must be overturned, and that Cetewayo, as King of the most powerful of the Kaffir Tribes, was the head and spirit of this movement. That opinion was shared by every authority at the Cape—Sir Henry Bulwer, Sir Theophilus Shepstone, and others. Under such circumstances, was it surprising that an Ultimatum was formulated and sent to the Zulu King, the central point of which was that the Army must be disbanded and the military system broken up, without which all authorities agreed that peace could never be secured? It had been asked whether it was right to send the Ultimatum at all, and whether it was right to send it without the sanction of the Government? On both points Sir Bartle Frere was right. On the first he was supported by all the authorities at the Cape, including Sir Henry Bulwer, for whom the hon. Member for Chelsea (Sir Charles W. Dilke) and the right hon. Member for Tamworth (Sir Robert Peel) had expressed high admiration. All concurred that the breaking up of the Army and of the military system was absolutely essential to the securing of permanent tranquillity. If the hon. and junior Member for Birmingham (Mr. Chamberlain) could be transported to Natal, he would perhaps take a different view of what he called pedantic obstinacy, and would share the opinion that this condition was essential, and sooner or later must have been enforced. That by itself would not exonerate Sir Bartle Frere from the charge of undue precipitation; but let the House consider the reasons he had given for it. Asked why he had apparently disregarded the anxiety of the Government to avert war, he said it was impossible to countenance delay without incurring greater danger than was to be encountered at once. The sole answer of the Government to Sir Bartle Frere's despatches was that they were unable to find anything in the documents he had submitted to justify his views; but in dealing with a savage nation it was impossible to employ documents, as Sir Bartle Frere had himself pointed out. If documents, however, were not forthcoming, there was a mass of assertions and opinions on the part of Sir Bartle Frere and his subordinates which were presumably well-founded, and which no hon. Member so far had satisfactorily disproved. Who, in fact, was the more likely to be right, the hon. Baronet the Member for Chelsea in the House, or Sir Bartle Frere in South Africa, with all the information it was possible to obtain before him and with the assistance of experienced officials in the Colony? But for the unhappy accident, or mistake, or disaster — whichever they pleased to call it—of Isandlana, no censure, he ventured to think, would have been passed on Sir Bartle Frere; and feeling it incumbent on him, while he had voice and power, to defend the men who, in positions of exceptional difficulty, were not afraid to take upon themselves a great responsibility at any cost and at any sacrifice, he declined to endorse the censure which the Government had already passed, and would resist to the utmost the censure which the House was now asked to pass upon Sir Bartle Frere.

THE MARQUESS OF HARTINGTON: Sir, there are still, no doubt, a large number of hon. Members who desire to speak upon this question; but considering that, whatever reasonable length the debate might be protracted to, there would still remain unheard a great number of hon. Members, who take a deep interest in the question, and who, perhaps, are well entitled to be heard, it will be, I believe, for the general convenience of the House that we should endeavour to bring this debate to a conclusion to-night. For my part, I shall endeavour not to protract what observations I have to make, in order that we may the sooner arrive at our decision. I wish to advert to one or two points, merely for the purpose of mentioning them and passing them by. Nearly all the speakers who have taken part in the discussion have referred to the question of the military conduct of the campaign. I regret that that subject should have been introduced into this debate, although you, Sir, have ruled that its introduction was not irrelevant, but covered by the terms of the Resolution and the Amendment. That brings me to the Amendment of my hon. and gallant Friend the Member for Renfrewshire (Colonel Mure), which is the question now before the House. I trust that when my hon. and gallant Friend sees that we are not discussing the military question, but the general question of policy, he will comply with the disposition and wish of the House and be willing to withdraw his Amendment, so that we may take issue upon the question of the policy pursued by the High Commissioner and by Her Majesty's Government. It has been maintained by one or two speakers that the military question was raised not alone by the Amendment of the hon. and gallant Member, but by the Resolution of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). It has been held that the words—"The House regrets that the war should have been commenced without adequate military preparations"—convey a censure upon the Government for not having made adequate preparations for this war. I believe I am right in saying that such was not at all the intention of my hon. Friend the Member for Chelsea in inserting those words in his Resolution; and certainly it never occurred to my mind that those words inferred a censure upon Her Majesty's Government. It does indeed appear to us that the war, having been commenced without adequate preparation, constitutes a very grave portion of the indictment which can be maintained against Sir Bartle Frere. We think that is one of the circumstances which ought to be taken into the consideration of the House in judging his conduct; but it certainly never occurred to us that those words which appear in the Resolution of my hon. Friend conveyed any censure upon Her Majesty's Government for not making adequate preparation for a war which we are willing to admit they never expected to occur. Therefore, I may say that a great part of the speech of my right hon. and gallant Friend the Secretary of State for War, which was devoted to prove that the Government had made adequate preparations, appears to me not entirely relevant to the question; for the charge has never been made, so far as I am aware, that the Government was to blame in that respect. But, Sir, passing from that topic, I wish to say one word as to the terms of the Motion, and the addition that has been made to it. The House will remember that a considerable time ago the hon. Baronet the Member for Chelsea placed upon the Paper a Notice of Motion with regard to what has taken place in South Africa. That Motion was postponed from time to time, pending the production of further Papers, until it was announced by the Government that hon. Members were in possession of all the information they could give them on the subject. It then became necessary for all of us to consider what course to take on this question. I was aware that my hon. Friend had given great attention to this subject and was well informed upon it, and that he would be likely to bring it before the House in as full and ample a manner—if not in a more full and adequate manner—than any hon. Member on this side of the House. I therefore suggested to him one or two alterations which would make his Resolution entirely in accordance with my views. He accepted them on that understanding. I was willing to leave the matter in the hands of my hon. Friend. I am sure it will be the opinion of the House that in better hands it could not have been left, and considering the length of time over which his narrative extended, a more succinct statement than his could not, I think, have been made. Well, Sir, that is the history of the Resolution up to a certain point. But after the publication of the last despatches, we found that Her Majesty's Government took a view of the conduct of the High Commissioner, which was, in all essential points, identical with that taken upon this side of the House, and to which my hon. Friend is now asking your assent. But it became apparent that there was this difference between our views and those of the Government—that whereas we had thought that if the House should be induced to agree with the Motion of my hon. Friend, there could be but one result—namely, either the recall or resignation of Sir Bartle Frere, we found Her Majesty's Government entirely agreeing with us upon the premises of the Resolution, but differing as to the conclusions. We thought the conclusion to be so obvious that it was unnecessary to be set forth in the Resolution; but when we found the view taken by the Government, it became necessary for us to add to the Resolution an expression of opinion in favour of the result which we considered must inevitably follow from the premises. Therefore, not with any desire to censure Her Majesty's Government, but only with the object of expressing the conclusion to which we thought the House must be drawn, we made the addition to the Motion of my hon. Friend. I am quite willing to admit that Her Majesty's Government have had a very difficult and very perplexing task to deal with. I am quite willing to admit that this war is not one which they ever had any reason to expect, and that it is one which, probably, is as disagreeable to them as it is to everyone else. I am quite certain of the fact that, under certain circumstances, Her Majesty's Government were not anxious for another war. I believe that even for the present Government one war—one little war, as it is called—I refer to the war in Asia—was probably sufficient; at all events, at a time when the affairs of Europe, especially in the East, cannot be considered as altogether settled. I do not know whether, under other circumstances, Her Majesty's Government might have been so averse from prosecuting this war; there are certainly some circumstances which would have given it a certain recommendation. We know that Her Majesty's Government are extremely anxious upon the subject of a scientific Frontier. The Frontier at Natal may possibly agree with these views, although I believe exception has been taken to that Frontier. The Frontier of the Transvaal, however, as everyone knows, cannot be said to possess an entirely scientific character; and, therefore, I should not have been surprised if, under other circumstances, the Government had desired, even at the expense of a small war, to rectify that Frontier. However strongly Her Majesty's Government may now speak and write about the policy of annexation in South Africa, we have the authority of the right hon. Gentleman the Secretary of State for the Colonies for believing that even at a very recent date that policy was not one which presented itself to Her Majesty's Government in so very unfavourable a light. The right hon. Gentleman, speaking on the 19th January at Stroud, made use of some very remarkable expressions, which I trust the House will allow me to read. He was speaking upon the question of the depression of trade in England, and he said—

> "We have been undersold by America and other countries. During the last few years more has been done to explore the Dark Continent of Africa than during the preceding century. The policy of Her Majesty's Government has been, I will venture to say—and I speak with some knowledge on this point—to develop our Colonies in a way which no previous Government thought it their duty to do, and we have endeavoured, and will endeavour, to extend British influence and British work throughout the Dark Continent. My Predecessor (Lord Carnarvon), of whose ability and work I must always speak with respect, inaugurated that policy by the necessary step of annexation in South Africa. I sincerely wish that he had seen his way to carry out the same policy in other quarters of the globe."

Well, Sir, if those were the views of the Colonial Secretary, I think it is not difficult to imagine that at a more convenient season he might, with a view to the development of British commerce in South Africa, have been able to work more harmoniously with Sir Bartle Frere than he has been on this occasion. I have no doubt that the military regulations and the character of the Government of King Cetewayo are as great obstacles to the progress of British trade in South Africa as they are to the progress of missionary enterprize. I think that, under more favourable circumstances, we might have seen the right hon. Gentleman protecting the British merchant, Sir Bartle Frere casting his ægis over the British missionary, and both co-operating with the Dutch Boers and extending the benefits of trade and religious instruction and cultivation over the whole regions of Southern Africa. But I am quite willing to admit that, under the present circumstances, the war was probably one which was extremely inconvenient to the Government. My hon. and learned Friend the Member for Oxford (Sir William Harcourt) has referred to the statement of the right hon. Gentleman that he had no hint of the aggressive intentions of Sir Bartle Frere until December 11th. That, Sir, is not a statement which I have the slightest hesitation in admitting, for what must be taken to be a hint of aggressive intentions is entirely a question of the impression conveyed to his mind by certain circumstances, and it is impossible for another to judge what impression is actually conveyed to his mind. But I must say that the despatch quoted by my hon. and learned Friend was one which would have had the effect of giving the idea of aggressive intentions to a mind otherwise constituted than that of my right hon. Friend, and I should like to remind the House of a Paper recently published by the War Office—that of the 1st September, 1878—which contains a memorandum sent by Lord Chelmsford to the War Office, in which he detailed his plans in the event of an invasion of Zululand. That is a circumstance which I should have thought might have conveyed to the mind of the right hon. Gentleman some hint of the aggressive intentions of Sir Bartle Frere. But if the House holds the opinion that the Government can establish their case that they knew nothing of the aggressive intentions of Sir Bartle Frere, it appears to me to establish a new charge against the High Commissioner in addition to all the others urged against him. If that be true, I am afraid that Sir Bartle Frere must be held to be guilty, not only of rashness and precipitation, but of deliberately keeping the Government ignorant of his intentions. I cannot but think that a careful perusal of the Papers will conclusively show that Sir Bartle Frere had formed aggressive intentions very long before December 11th. In August of last year Sir Bartle Frere had formed his opinion, as is shown in a Minute of that date addressed to Sir Henry Bulwer. In subsequent communications, Lieutenant General Thesiger explained the arrangements he intended to make in view of a contemplated invasion of Zululand. That appears to me most distinctively and conclusively to show that, in August last, the High Commissioner had formed very clear and distinctly aggressive intentions towards Zululand, and if he did not impart those views to the Government, he must be charged with wilfully keeping them in ignorance. There is another charge which must be made against Sir Bartle Frere. It has been argued that the utmost that can be said for the High Commissioner is that he acted without authority, and not contrary to the orders of the Government, and that the Government themselves have censured him only for not delaying until he had had time to receive instructions from them. The conduct of the High Commissioner appears to me to be more open to the charge of disobedience to orders he received from home, than to that of mere precipitancy and undue haste. In the despatches of September 10th and September 30th, which were in the hands of the Government on the 30th of November, Sir Bartle Frere gives a general outline of his views on the condition of affairs in Natal and Zululand. I do not find that in subsequent despatches he does anything but add to the views which he expressed in those despatches, and that he only furnishes additional evidence, and amplifies the views he had more shortly stated before. In fact, the opinion formed by the High Commissioner, and the case he has presented, is fully set forth in the despatches of September 10th and September 30th. Those despatches, it should be remembered, were addressed to the Government before he undertook any operations at all. The answer to the despatch of September 10th was contained in a despatch from the right hon. Gentleman of the 17th of October, and consisted of a refusal to send the troops for which Sir Bartle Frere had asked, together with an expression of opinion that by exercise of prudence and forbearance the difficulties on the Zulu Frontier might be solved. What was the answer of the Government to the despatch of September 30th, in which the High Commissioner still further enforced his views? It was not answered until the 12th November, when the Government had decided to send out reinforcements, and Sir Bartle Frere had decided to dispatch his Ultimatum to King Cetewayo, although he was admonished that prudence was alone necessary to avert the danger which was impending. All that he knew from the Government was that he would not have the reinforcements he asked for. That is a point which the House must bear in mind in judging the proceedings of Sir Bartle Frere. When he presented that Ultimatum, he was not in possession of the resources with which he ultimately undertook the invasion of Zululand, and at that time he had not any reasonable hope that he would be in possession of them. All that he had were Forces sufficient for the defence of Natal, and not Forces sufficient for the purposes of invasion. It must add very greatly to the presumption of rashness and recklessness on his part that he undertook to send an Ultimatum which he must have known would result in war, at a time when the Forces at his disposal was the minimum required, according to his own opinion, for the defence of Natal. It is the defence of Sir Bartle Frere that he took the responsibility on himself, and that his conduct ought for that reason to be pardoned. But he did far more than that. He not only acted without instructions, but he acted in direct opposition to every instruction which, up to that time, he had received from the Government. I must say I cannot help wondering at the tameness and submissiveness with which the Government had seemed disposed to treat an act of defiance and direct disobedience to their orders so flagrant as that which I have pointed out. The time, however, arrived when the Government knew—if they did not know it earlier—of what Sir Bartle Frere had really done. On December 19th they received information of the terms intended to be proposed by him, and on the 2nd of January they heard that in the event of non-acceptance of those terms an advance into Zululand would be necessary. On the 23rd of January, the right hon. Gentleman delivered his judgment on the information, so far as he had it at that time. That despatch has already been described. It does not appear to me to be a despatch calculated to create very great enthusiasm, either in the minds of the supporters or of the opponents of Sir Bartle Frere. The right hon. Gentleman said that the Government were not altogether unprepared for the information given them; that they did not think he would have acted so hastily; that they did not perceive the necessity for his action; but that as he had done what he had he hoped it would all turn out very well. It appears to me that, at that time, although the idea had not fully developed, it had occurred to the Government that, perhaps, circumstances might arise which would render it quite unnecessary for them to give any opinion on the subject at all. It may be said that, at that time, the Government did not know everything; and, no doubt, they did expect, at that time, that the High Commissioner would send home evidence more convincing than he had hitherto been able to do to show the necessity of the step he had taken. He has been unable to do this, after waiting two months longer, during which Sir Bartle Frere has sent home every scrap of evidence which can be collected to support the view and the policy he has undertaken. The House ought also to remember—though I do not for one moment impute any unfairness or any bias in the information sent home—that, in the main, we have only one side of the question presented to us. The despatches are chiefly from the High Commissioner; they chiefly contain evidence which he thinks necessary to send, and every despatch is accompanied by the comments of the High Commissioner himself. Therefore, the case is presented in the most favourable way to the High Commissioner, although I do not for one moment impute to him that he dreamed of suppressing any information which might have told in the other direction. Having received these voluminous despatches—and surely more voluminous despatches were never fired in succession at the Colonial Office—the Government found that their decision could no longer be delayed. The noble Lord opposite (Viscount Sandon) told us something of what he believed to be the secret history of the Motion of my hon. Friend the Member for Chelsea. If the noble Lord assumes to be in the secrets of the Opposition, it is surely not more unreasonable that we should venture to make a guess at the secrets of the Cabinet. I do not think it is very difficult to form some opinion of the manner in which that despatch of the 19th of March came to be written. Probably one day the right hon. Gentleman came down to the Cabinet with a pile of Blue Books, and said that he had no more Papers to produce to the House of Commons. The Motion of my hon. Friend was still on the Paper, Questions were continually being asked, the debate must soon come on, and it was necessary for the Government to make up its mind before the debate whether they were going to support the High Commissioner, or were going to renounce and disavow his conduct. Probably the first Member of the Cabinet to speak was the noble Marquess the Secretary of State for Foreign Affairs. He probably reminded the Cabinet, as he has since reminded us in "another place," of the policy of boldness, and he probably added that, as Sir Bartle Frere had shown that great quality of a Colonial Governor, he must be supported. He may perhaps have mentioned, at the same time, that Sir Bartle Frere was the author and the great exponent of his policy in India, and that he, therefore, must not be thrown over by the Government. Then, probably, another Member of the Cabinet—most probably a Member of the House of Commons—pointed out that a policy of annexation and a policy of war was not quite so popular in the country, or even in the House of Commons itself, as it had been a short time ago—that it would be rather difficult to defend everything the High Commissioner had done; and that it was possible that even the large majority the Government had of late commanded might be somewhat shaken if an attack were made on the Government for supporting entirely and completely the conduct of Sir Bartle Frere. I imagine that shortly after this the Prime Minister himself would interpose, and with that sagacity and ingenuity which has been cultivated by a long experience in this House of Party warfare, would suggest that it was quite unnecessary that an opinion should be given on the conduct of the High Commissioner at all. He probably suggested that the right hon. Gentleman had hit upon the right line in his despatch of January 23. He probably said—"It is quite clear that Sir Bartle Frere has committed a fault. He ought to have consulted you before he made war, and you can censure him for that. That will be quite enough for the House of Commons. It will be quite satisfied with that; it will not look at anything more than that; and it will not be necessary for us to express an opinion on the policy itself at all. If it turns out well, why, then we shall have all the credit and honour of having supported the High Commissioner in his bold and successful policy." In this way the despatch of the 19th of March was probably prepared. A censure, and a very severe censure, was passed upon the precipitation, the breach of discipline committed by the High Commissioner; but no opinion whatever was expressed on the policy which he had pursued. Now, the point which I wish to bring before the notice of the House is not the breach of discipline, but the policy itself. That is the point before us, and that is the point upon which the House and the country want to know the opinion of Her Majesty's Government. There is no mistake or difficulty about understanding this policy. It is a very clear policy. It has been explained by the High Commissioner in about 15 or 20 despatches of extreme length, supported by every scrap of evidence which he could send home. Whatever our opinion about his other qualities, I must say of his literary ability there can be no question. They are beyond doubt. No man can for a single moment have a doubt, or the slightest pretence of a doubt, as to what his policy was. It was the presentation of an Ultimatum to the Zulu King, containing a great variety of terms; and it was a threat of immediate war in the event of the non-acceptance, pure and simple, of that Ultimatum. What the Government have not told us, what they have not told Sir Bartle Frere or the Colonies, what they have not told Parliament, and what they have not told the country, is whether they did sanction and did approve then, and do sanction and do approve now, that policy, and whether they are prepared to support it. It is not necessary that they should decide on the justice or the expediency of every one of the terms contained in the Ultimatum .What they had to do is what Sir Bartle Frere did—to look at the Ultimatum as a whole, to decide for themselves, and to tell Parliament what they had decided, whether they thought the terms contained in that Ultimatum were as a whole so just, so wise, and so urgently and immediately necessary, that they were terms which ought to be enforced at the cost of immediate war. That is the question which it seems to me the Government, in justice to the High Commissioner, in justice to the Colony, and in justice to Parliament, were bound to answer; but which up to this moment, so far as I know, has received no answer whatever. I am not going, at this hour of the night, to discuss in detail the terms of the Ultimatum. They have received full and adequate discussion in the House. The Government, neither in the despatches nor in this debate, so far as I have been able to ascertain, have given any clear statement as to their opinion upon the justice of the individual terms. As I have pointed out, it is not necessary to give a decision as to the expediency of every one of the terms. What we have to do is to look at them as a whole. Some of them certainly seem to me of a very remarkable character. The Government have given no opinion upon them. They have taken up this Ultimatum, and they have looked at it on this side and on that; they have examined the terms one after another; they have discarded some, they cannot approve some, they regret some. There may be a good deal said, there appears, about some, while as to some they have said nothing at all. But it is very difficult indeed to find out what is their general opinion of these terms presented to Cetewayo by Sir Bartle Frere. Some of them seem to me to be of an extraordinary character. As to the confirmation of the Dutch settlers in the disputed territory to be made over to Cetewayo, that has been discussed at great length; but the only defence I have heard made for it is that the right hon. Gentleman seems to think this has something to do with fixity of tenure in Ireland—to which, apparently, he has become a convert—and that there is a precedent in the Administration of Lord Kimberley. As I am informed, however, the proceedings of Lord Kimberley in the case of West Griqualand are not at all similar to these. There the Government had full power to make what conditions they pleased as to the existing settlers. That territory was ceded to us voluntarily by the Native Chief, Waterpoor, and the Government were to make what terms they pleased as to the settlers they found there .But, in this case, the High Commissioner had no right in justice to make any conditions whatever as to the terms which might be proposed with regard to the retrocession of the territory, to which his Commission had just decided the Government of the Transvaal or our Government never had had any right whatever. Therefore, there is no relation whatever between the two cases. As to the disbandment of the Zulu Army, unless it was the deliberate intention of the High Commissioner to provoke immediate hostilities, it is impossible to conceive a more extraordinary proposition. No doubt, the standing Army of the Zulu King was a great evil, and was a menace to the peace and security of the Frontier of Natal. But all standing Armies are, in the opinion of most of us here, a great evil, and yet we are not in the habit of presenting an Ultimatum to every nation that keeps an Army on foot, calling upon it to disband its standing Army within a month. It has been said that Sir Henry Bulwer and Bishop Colenso ultimately came round to the views entertained by the High Commissioner. I am not in a position, and it is not incumbent upon me, to make any comments upon the conduct of Sir Henry Bulwer. I must say, however, that, so far as I have seen, his despatches during these proceedings are despatches of very great moderation, and are apparently marked by very great common sense; and it does appear to me that Sir Henry Bulwer, a man of calm and deliberative judgment, was at first entirely opposed to the course the High Commissioner has taken. How he suddenly became converted, as it appears he was, to sending the Ultimatum, it is not possible for me to explain, and I do not think it is necessary that I should do so. Probably it was a case of a very able man, having extremely strong and impetuous views on this subject, overbearing all opposition. It appears to me that Sir Henry Bulwer, having to be the instrument and the agent of the policy of the High Commisssioner, who was his official superior, retired from the contest, although, in fact, even when in the act of retiring, in the very despatch or minute, in which he expresses his general acquiescence with the view of his superior, he still argues in detail against almost every one of his proposals. But the most singular part of this affair is that the Government are so anxious to obtain the approval of others to the policy of the High Commissioner, though they do not venture to give him their own, that they are not satisfied with quoting Sir Henry Bulwer as a convert to the policy of the High Commissioner, but they also declare Bishop Colenso is a convert. I believe that there is a despatch from Bishop Colenso, in which some general expression of approbation such as is quoted from Sir Henry Bulwer may be found. But a letter from Bishop Colenso has been published,. which is not, I believe, in the Blue Books, dated February, very different in expression. Writing to Sir Bartle Frere, he says—

> "You spoke of Cetewayo's conduct in not having averted war, but the course of action pursued by your Excellency towards him made it simply impossible for him to avert war, and, indeed, the language of your despatch to Sir

Henry Bulwer of January 26, 1878, and the accompanying telegram, read in the light of subsequent events, very plainly foreshadows a course of action which shows that the Zulu King was already prejudged. I cannot feel that this question is of little or trifling importance. To my own mind, it is a question which vitally concerns our character as Christian people, whether or not we have determined to subjugate or annex the Zulu country without regard to the right or wrong of the case; but with the view to ulterior objects considered to be desirable for the Zulus as well as ourselves, I am bound, as an honest man, to say that while, of course, I approve of the main objects aimed at, and considering that they are such as a powerful Christian nation like ourselves has a right and a duty to enforce, if not to lay, upon our poor neighbours, yet I do not see my way to justify the manner in which our demands have been made, or the steps by which it had been sought to enforce them, the killing of many hundred Zulus, the taking of thousands of their cattle, and the greater miseries to come after, both for them and for us, and all for the sake of the safety and welfare of the Zulu people, to whom the Queen's Government wishes well."

If that is the witness whom the noble Lord opposite is so proud of having secured, I congratulate him upon his acquisition. I do not intend to go further into this question of terms. I think we might have expected, in the course of this debate, to hear whether the Government approve them or not. As I have said, however, they have done nothing but examine them, look at them, and never tell us whether they think them just or unjust. It appears from some speeches that have been delivered that some Members think too great leniency has been shown to Sir Bartle Frere, considering the fault he has committed. I think, Sir, that, in one sense, the punishment which has been inflicted upon him is a great deal too heavy for any man, whatever his fault, to bear. It is when we look at the position of the High Commissioner, at the difficulties—the tremendous difficulties by which he is surrounded, that we should doubt whether that punishment is at all inadequate. What are the difficulties? They have been described this evening. We have this war upon our hands; there is a danger that the Colony of Natal itself may be invaded. The people of Durban are actually prepared for the invasion of the Zulus. We have a suspended war upon the Frontier of the Transvaal; we have the Native Tribes in a state of agitation and disaffection, our newly annexed Dutch subjects in a state of almost open rebellion; we have, as the latest accounts show, discontent and grumbling amongst the whole of the European population. The High Commissioner has, in fact, every element of difficulty and danger to contend with in his task. At this moment, in the face of difficulties such as these, having, as he thinks he enjoys, the consciousness of possessing the most complete confidence of the Government which employs him, and of the Parliament and of the people at home, in the proper execution of his duty amongst these difficulties he receives two despatches from the Government in which, without a syllable of approval of any step he has taken, he is severely censured for what is called a breach of discipline, but what really amounts to a disavowal of his whole policy. At the same time, he is told, in reference to his future conduct, that he has so completely lost the confidence of his employers that they cannot allow him to take a single step by himself; but that, in every particular connected with the future management of his affairs, he is to avoid acting on his own responsibility, and is to refer home for instructions. Looked at in this sense, I cannot conceive a heavier punishment. Yet, in spite of this treatment, he is told it is his duty to remain where he is, and that he is to face, with his hands tied, these tremendous difficulties and responsibilities. But although, in this sense, I think the punishment is one too heavy to be inflicted upon any man, in my opinion, for the purpose of instruction and correction, and for the prevention of similar conduct by similarly placed individuals in the future, I must say I think the punishment is inadequate. We have heard a great deal in these debates about the word responsibility. It sometimes seems to me, in discussing questions of this kind, that we use the term reponsibility until we almost seem to forget and lose the sense of the word. What is the meaning of the responsibility of the Government and of the High Commissioner? What is the responsibility of the Government? It is responsible for the conduct of these affairs, and can only be discharged from that responsibility by obtaining the approval of Parliament to the policy which has been pursued, or else by proving to Parliament that they have themselves been misled and deceived, and by disavowing their agent who has so deceived them.

What is the responsibility of the High Commissioner? That is a responsibility which can only be discharged by the Government adopting fully and entirely his policy, and making themselves responsible for it. But none of these things have happened. Although war had been made, in the opinion of most men unnecessarily, without the sanction of the Government, without the knowledge of Parliament, and without adequate preparation—still no one is to be held responsible. The Government are not to be held responsible, because they knew nothing until it was too late, and were not kept sufficiently informed by their officer in South Africa. The High Commissioner is not to be held responsible, because, although he committed all these errors, and the Government will not undertake all his policy, because he has had the courage and boldness to undertake and defend that for which he is not to be called to account. Something has been said about the desire of some people in the country to find a victim. I believe that the country is perfectly willing to forgive, if necessary, these faults, which may reasonably be considered as faults only of judgment, and the result of too much zeal. But it is impossible for the country to forgive if it does not know who is to be held responsible. What the country does want is not a victim, but clearly to understand amongst all this mystification who is to be held responsible. It wants clearly to understand, when events have occurred which have unnecessarily, in the opinion of most of us, brought discredit upon the British name, who it is that has done these things, and whether the blame for them is to be attributed to the Government under whose management they have taken place, or to the agents who have actually committed such deeds? I, for one, under all the circumstances of this case—whatever may be the result of the Division upon the Motion of my hon. Friend the Member for Chelsea—am glad that he had submitted it to the House.

The CHANCELLOR of the EXCHEQUER: The noble Lord has concluded his speech by asking who is to be held responsible for what has taken place, and is now occurring in South Africa? I rise, without a moment's delay, to inform the noble Lord that it is Her Majesty's Government. We do not cast the responsibility upon our agents. We assume and claim for ourselves the right to be tried and judged upon the case, and we stand here between Sir Bartle Frere and Parliament. Let it then be clearly understood what will be the meaning and effect of this vote, which the House is now invited to give. My hon. and learned Friend the Member for Chatham (Mr. Gorst) says that it is, in his opinion, possible and right that he should join in this vote not for the purpose of casting any censure upon the Government, but for the object of expressing an abstract opinion upon an important question of policy and disapprobation of the conduct of Sir Bartle Frere. I am quite sure that my hon. and learned Friend spoke sincerely, when he told us that though the effect of his vote might not be to place the Government in a minority, still he regarded himself as being under the same responsibility, with respect to the vote he was about to give, as if it should have that effect. That is a doctrine we all ought to uphold—that no man should give a vote upon any occasion in this House, unless he be prepared to take the consequences of that vote. Now, let us clearly understand what our position is. A charge is brought against Sir Bartle Frere, and a charge is brought against the Government. There are two parts to this Resolution. We have heard something of the history of the Resolution, and how the second part came to be added to the first. We must regard them now as they stand together. The right hon. Gentleman the Member for the University of London (Mr. Lowe) the other night said, in his trenchant manner, that the Government had, in the first place, accepted and adopted the policy expressed in the Motion, as it originally stood, of the hon. Baronet the Member for Chelsea, and that they had, in fact, passed a Vote of Censure, or at least what was equivalent to the censure that the hon. Baronet proposed to cast upon Sir Bartle Frere. But, said the right hon. Gentleman, when you saw that the censure was proposed by a Member of the Opposition, you proposed to move the Previous Question and to shut Parliament out from doing that which you yourselves were prepared to do, in order that you might secure to yourselves what he calls a "monopoly of abuse." But it is a wholly different thing for an

Administrative Government to express and record its opinion and to give instructions to its own agents abroad, and for the House of Commons or for Parliament to pronounce an opinion in the nature of a censure upon such agents. The effect is quite different, because it will be observed that the censure which the Government thought it necessary to convey to Sir Bartle Frere was accompanied by an expression of continued confidence in his ability to conduct affairs in South Africa; whereas the censure proposed by the Motion of the hon Member for Chelsea contains no such qualification. Therefore, it is not the case that we desire a "monopoly of abuse," but that we desire to exercise for ourselves that which it is our right and duty to exercise—a power of expressing our disapprobation of certain parts of his conduct, and, at the same time, to stand between him and the censure proposed by the hon. Baronet. There is no disguising the matter; when we hear of the attacks made upon Sir Bartle Frere, and are asked whether we approve of his policy or not—of course, to a certain extent, we do not approve of it. We are bound by the expressions contained in the despatches we have written, not precisely under the circumstances which the noble Lord's imagination has suggested to him, but still under circumstances of responsibility. Conscious of our own responsibility in this very important matter, we have expressed to Sir Bartle Frere our disapproval of some portions of his conduct. We have thought that his conduct was of a nature which demanded of us an expression of our opinion for his guidance and for his reproof. But we have not thought it sufficient to outweigh the many considerations which we felt required that we should continue his services in South Africa. That is a simple account of the position which the Government have really taken. We do not approve of all that Sir Bartle Frere has done. We thought that what he had done was sufficient to call for a reproof; but what was still more important and necessary, we thought that it was sufficient for us to give a caution and warning for the future. We did not think his conduct of a character which demanded our taking the extreme step of recalling him. It is said that Sir Bartle Frere was guilty of a very grave offence in entering upon the war without the assent of the Government. It is perfectly true that engaging in an unnecessary war is certainly a most grave offence, and Her Majesty's Government were of opinion that the necessity had not yet been proved to their satisfaction. But we are very far from saying that Sir Bartle Frere was not satisfied in his own mind that it was necessary. We are not satisfied on that point, and we think it necessary to express to Sir Bartle Frere our regret that he should have undertaken a step of that great importance without previously consulting Her Majesty's Government. But if it is said that Sir Bartle Frere was guilty of that course of conduct which the hon. Baronet the Member for Chelsea attributes to him—namely, that all the time he was carrying out negotiations and superintending the proceedings of the Boundary Commission, and was carrying on the other business to which attention has been drawn—that all this time he was insincere in what he appeared to be doing, and was working to bring about a war of aggression against the Zulus, I deny altogether that there is any justification for the charge. Now, Sir, what were the circumstances under which Sir Bartle Frere was sent out to South Africa, and what were the circumstances under which he was invested with what has been referred to more than once as a very peculiar amount of authority in the affairs of that Colony? The circumstances were exceedingly peculiar. The condition of South Africa at the time Sir Bartle Frere was sent out, and for some little time before, was most complicated, serious, and difficult. I well remember the great anxiety which my noble Friend (Lord Carnarvon), when Secretary of State for the Colonies, felt as to the condition of South Africa. I have frequently heard my noble Friend express in confidence his views upon the great complication of the problem. What was the problem? You had then a large and overwhelming mass of Natives, comprised partly within European settlements and partly in territories belonging to themselves. Among them you had several communities of European descent, some belonging to England, and some to other nations; and there were difficulties, jealousies, and misunderstandings between these communities and between some of them and the Native Tribes. There was the want of a common policy with regard to the Natives which led to extreme danger. The object of the Government at that time was, and has ever since been, to bring about such a state of affairs in South Africa as might involve, I do not say necessarily Confederation, but Union, with a good understanding amongst the various European States as to the policy which they should pursue towards the Natives, because, obviously, nothing could be more disastrous than that one State should be pursuing an aggressive policy towards the Natives, whilst another should be allowing arms to be supplied freely to them; that another should be holding aloof from its neighbours; that there should be a want of cordiality and understanding; and, at the same time, that provocation should be given to the Native Tribes which those who gave it were not powerful enough to enforce. Our object was to bring about an understanding, and probably a Confederation, of European States in that part of the world. When Sir Bartle Frere was sent out, it was after a considerable step had been taken in the annexation of the Transvaal. He was sent out after that step had been taken on the ground that the Transvaal was an element of very great danger under its existing Government, because, on the one hand, it was provocative to the Zulus, its neighbours, by its aggressive land policy and other matters connected with its internal proceedings; while, on the other, it was not strong enough to hold its own against the Zulus, and it had met with a very alarming reverse. Under these circumstances, the territory was annexed, with the general assent of this House and the country at large, although, as has been truly said by the hon. Member for Liskeard (Mr. Courtney), he and others at the time protested against the course, and he is perfectly justified, if he please, in now stigmatising the course taken as a mistake. But that step was taken with no desire of aggrandisement on the part of this country, but solely for the purpose of self-preservation, and as a measure to conduce to the prosperity of the European States and to the benefit of the Native Tribes. It was taken with a view to stop any further collision or any future wars with the Zulus or other Native Tribes. Sir Bartle Frere went out with large powers in order to bring about that Confederation which had hitherto been impossible. There were these difficulties in regard to Confederation — You had to satisfy the Cape Colonists, you had to satisfy the Dutch, you had to satisfy the Transvaal, which had just been annexed, and you had to take care to make proper arrangements to preserve the impression of superiority on the part of the White races over the Native races in order to hold the Natives in check, although you wished to preserve an entirely friendly and non-aggressive attitude towards them. That was the policy which Sir Bartle Frere was directed to pursue. No doubt, it was one of a most difficult character; for one of the first things he had to do after having brought about an improved state of things in Cape Colony which had hitherto been found impossible, and after having got over some of the first difficulties, was to see what could be done with regard to this question between the Transvaal and Zululand. He had to meet this question of the boundary between those two countries, which has been the cause of so much alarm and collision. That was a very difficult and complicated question, although one that it was most necessary to settle. It had two sides to it. Hon. Members have spoken as if there was only one side to that question, as if the Zulus were all right and the Dutch Boers were altogether to be set aside, as if they were to be treated as an abomination, whose very name should be regarded as conclusive evidence that where their interests and rights were concerned, to do them justice would be an absurdity. That is the tone that has been used throughout this debate; anyone would have expected that the whole history of this unfortunate collision had been that Sir Bartle Frere was endeavouring, in carrying through the annexation of the Transvaal, to keep the Dutch in good humour at the expense of the Zulus. That I believe to be, in the minds of many hon. Gentlemen, a fair description of the case; but I do not think that it is a true description. It is said that, in order to keep the Dutch in good humour, we threw over our whole previous policy, and disappointed the Zulus in what they had formerly been led to expect to receive from them. That is not the case, and these assertions are not true. What is true is this—That, when the Transvaal came under our administration, it was the duty of the Administrators—Sir Theophilus Shepstone and Sir Bartle Frere—to see justice done to those under our rule; and I am convinced that anyone reading these Papers fairly, and endeavouring to look at the subject with an unbiassed mind, will see that there is a good deal more in the case that renders it necessary that there should be more delay in the discussion of these matters than one was led to expect from the statements of the hon. Baronet the Member for Chelsea. Nothing could be more able—nothing could be more consistent and logical—than the case made out by the hon. Baronet; but it is easy to make such a case if you confine yourself to statements taken from the Papers and put together to support a charge against Sir Bartle Frere throughout, arriving at an end, but not the end to be had in view. I think if anyone will read those despatches in a fair spirit, and consider what was our position, and the obligations on the Ruler of the Transvaal, he will see that the hon. Baronet's is by no means a complete and perfect description of the case. We are told that when the award was made Sir Bartle Frere took away the whole value of it by making stipulations as to the private rights of the settlers who had already planted themselves in the land. He did; and it was necessary for him to consider the position of those who had a share in this territory. He remembered, no doubt, what had been done in Griqualand West, a few years ago, when conditions were made for the settlers there similar to those proposed to be made for the settlers in this territory. He desired that those who had expended their capital and labour in improving the soil, in planting and building upon it, who had occupied it for years, and had originally taken it under circumstances which rendered it exceedingly doubtful to whom it belonged, and whether they had not as good a claim to it as anybody else, should not be ousted at once and deprived of all the improvements they had made. That was one of the grounds, and there were others to which it is unnecessary for me to refer in detail. They were put together when Sir Bartle Frere was communicating the award to the Zulus—an award which was upon the whole very much in their favour, and he then took the opportunity to make certain other demands. Were those demands which he had or had not a right to make? I do not say that they were all of equal importance. I agree that there were demands, such as those relating to the engineers, which it was not desirable to put in a communication of this importance. But, with regard to some of those demands, I think that we have heard some very extraordinary language in this House. The hon. Member for Liskeard (Mr. Courtney) laughed a good deal about the complaints that were made—he was rather severe upon them—against Cetewayo, concerning the recapture of two women who had taken refuge in British territory, and who were taken by force into Zululand, and put to death. We are accustomed to hear the hon. Member for Liskeard in the character of a champion of women's rights. It seems that women's rights are all very well in the latitude of England; but when you come to the latitude of South Africa, women are only property, and these sons of Sirayo were guilty only of going after their own property, in two women who were no more to them than a couple of colts. Language of this sort is hardly consistent with the feelings of Englishmen. We have heard very severe language applied to Sir Bartle Frere and the Dutch; but when we come to speak of Cetewayo he is painted as an angel. Everything that is startling in his proceedings is explained away in the most amiable manner. We hear something about his wishing to "wash his spears," and that his great complaint against the English Government was that they would not allow him to wash his spears. But what said the hon. Member for Chelsea? "'Wash his spears!' What harm is there in that? He did not mean to 'wash his spears' in the blood of Englishmen, but only in the blood of Swazis. What harm is there in that?" Then we heard something about his massacring a number of young women, whose offence was that they declined to marry his soldiers; and, if I rightly understood the hon. Baronet the Member for Chelsea, he thought it a sufficient excuse for this that Cetewayo had no prisons, and that he was entitled to massacre people whom he regarded as criminals because he had no prisons in which to put them. We have also heard the same kind of language with regard to the missionaries. We are told that we have nothing to do with supporting the missionaries. I agree that we ought not to support missionaries at the sword's point; but to hear that Cetewayo put to death Native converts to Christianity does not incline one to regard him as a very agreeable neighbour. Then we are told that we have no right to interfere in the internal affairs of Zululand. No right to interfere in the internal affairs of Zululand! But the internal affairs of your neighbours may have a very serious bearing on your own safety, and it may be proper, and absolutely necessary, for you to take steps to insure your own safety. Cases are not unknown in which European Powers have called upon other Powers to dismantle fortresses, to limit the number of their Armies, and otherwise have interfered in the internal affairs of their neighbours. Surely, then, nothing is more reasonable than to call upon a savage of the character of Cetewayo—a brave and noble savage in one sense, I grant you, but, as a neighbour, open to considerable objections—to do likewise. Cetewayo had chosen to take certain oaths on his Coronation, which were in the nature of a Treaty or understanding between him and the authorities; but these were entirely violated and put aside. But this is all laughed at, and we are told that we must not expect him to keep his word. When we come, however, to the question as to whether there was any justification for the course taken by Sir Bartle Frere, we are told that Cetewayo gave perfectly satisfactory assurances, and that we ought to believe his word; but if we cannot believe a man's word at the time of his own Coronation, I do not know when we are to believe him. Under these circumstances, I think we must admit this—that the case of Sir Bartle Frere is by no means so entirely a bad one as is assumed. I do not say that he was justified in his act. I believe, in taking the step he did, and in sending that Ultimatum at the time he did, he made a grave mistake. I think it would have been far better, far wiser, far more proper, that he should have referred home to Her Majesty's Government for instructions before he took the step so extremely likely—as we see, and as he now confesses—to precipitate war. He committed an error in judgment in that respect. It is one in which we have thought it our duty to reprove him; because, if it is intended that he should remain at the head of affairs there, it is necessary that he should have a caution, and instructions for his guidance in the future. When we have admitted all that, you have not disposed of the case at all. You have not disposed of the case as to how you are to deal in the future with all the great and important matters identified with the question—and on that we have no indication from right hon. Gentlemen opposite. The hon. and learned Member for Oxford (Sir William Harcourt) told us that my right hon. Friend the Secretary of State for the Colonies was like Phaeton, unable to hold in his horses. But the hon. and learned Member appears to me to be snatching at the reins, thinking he could manage them better himself. He did not, however, give us the slightest indication of the direction in which he would drive. We have only had one clear definition as to the direction we should follow, and that was a very clear one. It came from the hon. Member for Liskeard (Mr. Courtney), and the policy recommended by him was perfectly intelligible; but what I want to know is, whether it is the policy of those who want to take our places. He says—"Abandon Confederation, and withdraw from the Transvaal." Well, if that policy is accepted, we shall, at least, know where we are. If the hon. Member put it to the vote, I do not know that he would carry a sufficient number of Members into the Lobby with him to carry it. I wish hon. Members to consider whether that is really a policy which they would wish carried into effect. Do hon. Members think that is a step which will get us out of confusion in South Africa, or is it not rather one which will get us again into confusion at the Cape? If hon. Members believe that they are to be got out of confusion by a policy of that sort, they must be more sanguine than I am. My strong belief and conviction is that if we are to take up the policy recommended by the hon. Member for Liskeard, we shall probably have to follow it out very much further, and have to withdraw as an Imperial Power from South Africa altogether. The probability would be that we should have to leave the Colonies to manage their own Native policy, and I doubt very much indeed whether it would be safe, or in accordance with the feelings of this country, that the Colonies should be allowed to pursue a totally independent course. The hon. and learned Member for Chatham (Mr. Gorst) has alluded to New Zealand, and he appears to look at South Africa in a somewhat similar light, whereas the cases are entirely different. In New Zealand we have but one European Power—and that our own—and a body of Natives who are constantly diminishing rather than rapidly increasing as in South Africa. In South Africa you have again a variety of European States, not under the same system of Government, jealous of one another, and a formidable body of Natives always bearing down upon you from the far distant regions. Under these circumstances, you require very great care indeed in the policy you propose to carry out. [*Ironical cheers.*] Hon. Gentlemen opposite may express ironical cheers; but we think that the question is one of very great difficulty in dealing with, and feeling it to be so, we have been anxious, in the first place, not unduly to pass judgment and censure upon the action of the man whom we had selected on account of the high character which he bore, and the remarkable abilities he displayed—whom we had intrusted with very unusual powers, and who was obliged to act very much more upon his own personal responsibility than is ordinarily the case, because he is separated from us by so great a distance. Well, when details came home and we were not able to feel satisfaction, we delayed our decision on his policy—and we thought we were right in delaying as long as possible—in the hope of receiving fuller explanations; but when we saw the whole facts before us we did not shrink from the unpleasant task of reproving him, a task which has exposed us to considerable criticism. But we have gone further than this. We are taunted with the fact that we have laid down no policy of our own. Well, I should think that most hon. Members who take an interest in the question had at least read the despatch of the 20th of March, in which are laid down with as much distinctness as the circumstances permit all the general lines of the policy which Her Majesty's Government desire to see adopted. This seems to amuse the hon. and learned Member for Oxford very much; but we have spoken most distinctly and clearly against any annexation, and we reiterated then the desire we have always expressed for Confederation, if it can be obtained. We have pointed out that the system of duly authorized agents to reside in the Zulu country would seem desirable in order to protect the rights of British subjects, and we have added that the Government would like to see the institution of such regulations as would leave the Zulus the power of protecting themselves against neighbouring tribes, and, at the same time, lead to the discontinuance of their present military system. There are other points on which we have laid down pretty clearly the general lines on which we wish a settlement to be arrived at. But a short time back the hon. and learned Gentleman the Member for Oxford told us that we had tied and fettered the hands of Sir Bartle Frere in an unusual and most objectionable manner. Now, however, we are told that we have done nothing, and have laid down no policy at all. There certainly does seem to be considerable confusion on this point, and I am bound to say that those who are attacking the Government are probably a little uncertain as to the hand with which they ought to strike—whether they are to censure the Government for finding fault with Sir Bartle Frere, to censure the Government for not recalling him, or to pass a censure upon the Government for not laying down a South African policy, or for laying down too much of a policy. Altogether they are in a great difficulty. The great point, however, seems to be that Sir Bartle Frere is to be well abused and handsomely censured. Those are the real points in this Motion, and they are supported by every kind of argument and every kind of illustration. The hon. and learned Gentleman the Member for Oxford went to the length of telling us that Sir Bartle Frere, in sending an Ultimatum to Cetewayo was like Nathan or Ahab—I could not quite make out which—sending to Naboth desiring him to give up his ewe lamb. [*A laugh.*] I am really not sure as to the names used in the illustration of the hon. and learned Gentleman, and I must say that arguments of the kind are very difficult to deal with. I have no wish to detain the House longer; but I would, before resuming my seat, ask hon. Members to consider the very great gravity of the question upon which they are asked to decide. It is a question upon which our future Colonial government hangs to a very great extent, and we must ask ourselves whether we are or are not to change our Colonial policy. If the House is not satisfied with the principles on which Her Majesty's Government have conducted our Colonial policy it is right in displacing us, and placing in power those who are ready to adopt a different system; but in the name of common sense I would ask that before you dismiss us and place others in our place, you should ask them not to tell you negatively that they found fault with us, but that they have formulated their own opinions, and are ready to express them clearly before the House and the country.

Lord ELCHO said, he wished to explain the vote he was about to give. [*Cries of* "Divide!"] If he were not able to give his reasons, he could not vote with the Government on this occasion. He should vote against the Resolution of his hon. Friend opposite because it was a censure on Sir Bartle Frere; but if he were to vote with the Government without explaining that vote, it might be supposed that he approved of the course they had taken. He did not think Sir Bartle Frere deserved the censure bestowed upon him by the Government. He voted, not only against the censure of the Opposition, but against that passed by the Government on Sir Bartle Frere in the course they had taken.

Colonel MURE said, he was not in the House when his noble Friend the Member for the Radnor Boroughs (the Marquess of Hartington) asked him to withdraw his Amendment, but, of course, he could have no objection to comply with the request of his noble Friend; but he wished the House clearly to understand that he considered that Her Majesty's Government had in no way met the charge contained in the rider he had ventured to add to the Resolution of the hon. Member for Chelsea.

Amendment, by leave, *withdrawn.*

Main Question put.

The House *divided:*—Ayes 246; Noes 306: Majority 60.

The Chancellor of the Exchequer

AYES.

Acland, Sir T. D.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Backhouse, E.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Bass, A.
Bass, H.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Colonel F.
Beaumont, W. B.
Biddulph, M.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Brady, J.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, Jacob
Bright, rt. hon. J.
Bristowe, S. B.
Brogden, A.
Brooks, M.
Brown, A. H.
Brown, J. C.
Bruce, Lord C.
Burt, T.
Cameron, C.
Campbell, Lord C.
Campbell-Bannerman, H.
Carington, hn. Col. W.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Childers, rt. hn. H. C. E.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Cogan, rt. hn. W. H. F.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Colthurst, Col. D. la Z.
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Cross, J. K.
Dalway, M. R.
Davies, D.
Davies, R.
Dease, E.
Delahunty, J.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, R. W.
Dundas, hon. J. C.
Earp, T.
Edge, S. R.
Egerton, Adm. hon. F.
Errington, G.
Evans, T. W.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Fitzwilliam, hn. W. J.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fothergill, R.
Fry, L.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Goldsmid, Sir J.
Gordon, Lord D.
Gordon, Sir A.
Gorst, J. E.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Grosvenor, Lord R.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, Sir A. D.
Henry, M.
Herbert, H. A.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holland, Sir H. T.
Holland, S.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hon. C.
Howard, E. S.
Hughes, W. B.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kay-Shuttleworth, Sir U.
Kenealy, Dr.
Kingscote, Colonel
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Laverton, A.
Law, rt. hon. H.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Locke, J.

Lowe, rt. hon. R.
Lush, Dr.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Clure, Sir T.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P.
Massey, rt. hon. W. N.
Meldon, C. H.
Mellor, T. W.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Moore, A.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Mure, Colonel W.
Murphy, N. D.
Noel, E.
Nolan, Major
Norwood, C. M.
O'Beirne, Major F.
O'Brien, Sir P.
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
O'Conor Don, The
O'Donnell, F. H.
O'Sullivan, W. H.
Otway, A. J.
Palmer, C. M.
Palmer, G.
Parker, C. S.
Parnell, C. S.
Peel, A. W.
Peel, rt. hon. Sir R.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Portman, hon. W. H. B.
Potter, T. B.
Price, W. E.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Rathbone, W.
Richard, H.
Roberts, J.
Robertson, H.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H.
Seely, C.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Sherlock, Serjeant D.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Smith, E.
Stafford, Marquess of
Stansfeld, rt. hon. J.
Stevenson, J. C.
Stewart, J.
Stuart, Col. J. F. D. C.
Sullivan, A. M.
Swanston, A.
Synan, E. J.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Waterlow, Sir S. H.
Wedderburn, Sir D.
Weguelin, T. M.
Whitbread, S.
Whitwell, J.
Whitworth, B.
Williams, B. T.
Williams, W.
Wilson, C.
Wilson, I.
Wilson, Sir M.
Yeaman, J.
Young, A. W.

TELLERS.
Adam, rt. hn. W. P.
Kensington, Lord

NOES.

Agnew, R. V.
Alexander, Colonel
Allcroft, J. D.
Allsopp, C.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Beresford, Lord C.
Beresford, G. De la P.
Beresford, Colonel M.
Birkbeck, E.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel J.
Bousfield, Col. N. G. P.
Bowen, J. B.
Bowyer, Sir G.
Brise, Colonel R.
Broadley, W. H. H.
Brooke, Lord
Brooks, W. C.
Bruce, hn. T.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Chaplin, H.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Digby, Col. hon. E.
Douglas, Sir G.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fellowes, E.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Garfit, T.
Garnier, J. C.
Gathorne-Hardy, hn. A.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Gilpin, Sir R. T.
Goddard, A. L.
Gooch, Sir D.
Gordon, W.
Gore-Langton, W. S.
Goulding, W.
Grantham, W.
Greenall, Sir G.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, right hon. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Harcourt, E. W.
Hardcastle, E.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Helmsley, Viscount
Herbert, hon. S.
Heygate, W. U.
Hick, J.
Hicks, E.
Hildyard, T. B. T.
Hill, A. S.
Holford, J. P. G.
Holker, Sir J.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, Capt. hn. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Isaac, S.
Jervis, Col. H. J. W.
Johnson, J. G.
Johnstone, H.
Johnstone, Sir F.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Col. E. H.
Kennaway, Sir J. H.
King-Harman, E. R.
Knightley, Sir R.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.

Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, O.
Lewisham, Viscount
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Lowther, rt. hon. J.
Macartney, J. W. E.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Makins, Colonel W. T.
Mandeville, Viscount
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Master, T. W. C.
Merewether, C. G.
Miles, Sir P. J. W.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Moray, Col. H. D.
Morgan, hon. F.
Morris, G.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Naghten, Lt.-Col. A. R.
Newdegate, C. N.
Newport, Viscount
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hon. Sir S. H.
O'Neill, hon. E.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major D. P.
Percy, Earl
Phipps, P.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt. F. C.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, E.
Ridley, Sir M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Roebuck, rt. hn. J. A.
Round, J.
Russell, Sir C.
Ryder, G. R.
Salt, T.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, right hon. G.
Scott, Lord H.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shirley, S. E.
Shute, General C. C.
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, rt. hn. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Serjeant F. L.
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tottenham, Colonel
Tremayne, A.
Tremayne, J.
Trevor, Lord A. E. Hill-
Turnor, E.
Wait, W. K.
Walker, O. O.
Walker, T. E.
Wallace, Sir R.
Walsh, hon. A.
Warburton, P. E.
Watkin, Sir E. W.
Watney, J.
Watson, rt. hon. W.
Welby-Gregory, Sir W.
Wellesley, Colonel H.
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 1st April, 1879.

MINUTES.]—Public Bills—*First Reading*—Local Courts of Bankruptcy (Ireland) * (40); Omnibus Regulation * (41).

Second Reading—Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation * (32).

Third Reading—Oyster and Mussel Fisheries Order (Blackwater, Essex) * (29), and *passed.*

ARMY—BRIGADE DEPOTS.

ADDRESS FOR A RETURN.

The Earl of GALLOWAY, pursuant to Notice, moved—

> "That an humble Address be presented to Her Majesty for a Return of the sum total expended in pay and allowances to officers in the Army holding the appointment of Colonel-in-command of a 'Sub-district' or 'Brigade Depôt' from the 1st of April 1878 to the 31st of March 1879."

The noble Earl gave Notice that it was his intention shortly after Easter to bring before their Lordships the subject of the brigade depôt system.

Viscount BURY objected to the Return in its present form; but said that if the noble Earl would consent to an alteration of his Motion, he would not object to the information being given.

The Earl of GALLOWAY having assented,

Return of the total amount of pay and allowances of commanding officers of brigade depôts from April 1878 to April 1879, and also the amount of pension to which these officers would have been entitled if they had retired instead of being thus employed.—(*The Lord Stewart of Garlies.*)

Address *agreed to.*

TRADE WITH THE UNITED STATES OF AMERICA.

MOTION FOR A RETURN.

Lord COTTESLOE, in moving for

> "A Statement of the trade of the United Kingdom with the United States of America for the years 1873, 1874, 1875, 1876, 1877, and 1878, in continuation of the annual statement of trade for the year 1877, as presented to Parliament in June 1878,"

said, that it was very desirable that their Lordships should have before them full and correct information on that subject, which was one of the greatest interest both to the agricultural and commercial classes of the country. In treating on the subject, he would refer to the last Annual Return of Exports and Imports of the United Kingdom, which showed that the balance of trade between this country and America had been unfavourable to England, and that while the exports had been falling off year by year, the imports had increased in a greater proportion. In 1877, the imports were £77,825,973, while the exports (British) were £16,376,814, showing a difference of four-fifths—namely, £61,449,159; or, taking exports (British and Colonial)—namely, £19,885,893, showing a difference of three-fourths, or £57,940,080, against this country. But, turning to a comparison of exports and imports in the four years from 1873 to 1877, it appeared that America had increased her exports to this country from £71,471,493 to £77,825,973; while her imports had fallen in the same period nearly ½, from £33,574,664 to £16,376,814. He would especially call attention to the imports into America of cotton goods, which had fallen by ½; glass, ¾; hardware, ½; iron, ⅔; tin, ½; salt, ½; silk goods, nearly ⅔; paper, ⅚; and woollen, ⅔. On the other hand, turning to her exports, the increases had been:—Animals, from 340 in 1873 to 11,523 in 1877; bacon and hams, by value, from £5,191,901 to £5,916,077; beef, fresh, 1873, *nil* to 443,042 cwts., showing an increase of value of £1,203,997; butter, by value, from £199,639 to £920,561; cheese, by value, from £2,353,181 to £3,129,829; wheat, by value, from £12,938,848 to £13,583,543; maize, by value, from £3,814,125 to £8,225,437; meal and meal flour, by value, from £1,382,304 to £1,543,793; hops, by value, from £46,740 to £557,650; and meat, preserved otherwise than by salting, by value, from £16,398 to £794,856. Seven other articles of agricultural produce might be extracted; but the above were sufficient to point out the effect produced on the farming interests of the country by these large importations. It was useful to show by later Returns what the result of the last year's trade had been. Such information was necessary to enable all persons embarking their capital in trade and agriculture to know how to conduct their business, and justified him in asking for the Return of which he had given Notice. In drawing attention to the subject, it was not his intention to complain of Free Trade. On that subject his opinions remained unchanged. If we did not require the several articles imported, we should not take them, and the welfare of all the working classes of the community was promoted. The only complaint was that Free Trade had been too successful. It had added vastly to the wealth of the country, and had introduced habits of luxury and increased expenditure into all ranks of society. If we could not compete with other countries in some articles of manufacture, we must direct our capital and labour into other channels. Still less should we resort to a war of Tariffs, or, as it was now called, to a "System of forced Reciprocity." Such a policy would be suicidal, and would be most injurious to the people of those countries who might adopt it. But be the result of our present system of freedom of trade what it might, it was well to know thoroughly how matters stood, and where the shoe pinched; and for producers to understand how it was that prices of agricultural produce had fallen in the markets of the United Kingdom.

Moved for—

Statement of the trade of the United Kingdom with the United States of America for the years 1873, 1874, 1875, 1876, 1877, and 1878, in continuation of the annual statement of trade for the year 1877, as presented to Parliament in June 1878.—(*The Lord Cottesloe.*)

LORD HENNIKER: My noble Friend the noble Lord will not, I am sure, expect me to follow him on the subject which he has brought before the House with all his experience in such matters, particularly when I tell him that the Board of Trade have no objection to produce the Return he asks for. As I understand him, he wishes that the Blue Book which is published annually should be published as soon as possible, instead of at the end of the Session. If this cannot be done, that a separate Return, referring to the United States only, should be made. I hope he will not pledge me, or, rather, the Board of Trade, to produce this Return at any fixed period; for it is somewhat complicated, and, possibly, cannot be prepared at once. However, I can say this—that the Return will be laid on the Table as soon as possible.

Motion *agreed to.*

Return *ordered* to be laid before the House.

LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL [H.L.]

A Bill for the establishment of Local Courts of Bankruptcy in Ireland—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 40.)

OMNIBUS REGULATION BILL [H.L.]

A Bill for the regulation of Omnibus Traffic—Was *presented* by The Earl of REDESDALE; read 1ª. (No. 41.)

House adjourned at a quarter before Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 1*st* *April,* 1879.

MINUTES.] — SELECT COMMITTEE—Co-operative Stores, *nominated.*

PRIVATE BILLS (*by Order*)—*Second Reading*—Aire and Calder Navigation; Crystal Palace District Gas*; Ilkley Gas*; Nottingham Corporation*.

PUBLIC BILLS—*Second Reading*—Licensing Act (1872) Amendment [108]; General Police and Improvement (Scotland) Provisional Order (Inverness)* [112]; General Police and Improvement (Scotland) Provisional Order (Paisley) [110].

Second Reading—Referred to Select Committee—Relief of Insane Poor [27].

Committee — Blind and Deaf-Mute Children (Education) [93], [House counted out].

Committee—Report—Hypothec Abolition (Scotland) [3].

Third Reading—Racecourses (Metropolis)* [48], and *passed.*

QUESTIONS.

CITY OF GLASGOW BANK.—QUESTION.

MR. YEAMAN asked the Lord Advocate, Whether he is aware that complaints have been made of injustice and oppression sustained under the judicial supervision of the liquidation of the City of Glasgow Bank, in respect of unnecessary litigation and inefficiency of supervision; whether he could state to the House the grounds on which the Court of Session did not frame rules for giving effect to the enactments of the Companies Act of 1862 in this respect in terms of the 171st section; and, whether a number of appeals now before the House of Lords by the liquidators against individual shareholders, and involving great hardships, did receive the judicial sanction of the Court of Session under rules framed by the powers of the said Act of 1862?

THE LORD ADVOCATE (Mr. WATSON): Under the 171st section of the Act, the Court of Session was empowered to make such rules as may be necessary, and until these are made cases coming before them are to be governed by the ordinary procedure. It is also provided that a liquidator is to have the same powers as a trustee in bankruptcy. I have not heard any complaint to the effect that—

> "Injustice and oppression have been sustained under the judicial supervision of the liquidation of the City of Glasgow Bank, in respect of unnecessary litigation and inefficiency of supervision."

No representation whatever has been made either to the Court of Session or to any other quarter; and, so far as I have been able to ascertain, the judicial supervision of the liquidation has been of a very efficient kind. I must add that I regret that such a strong imputation should have been made on the administration of justice without some more definite notice of the grounds on which it is made.

THE NATIONAL GALLERY—"DOGE OF VENICE," BY VANDYCK.—QUESTION.

MR. BLENNERHASSETT asked the First Commissioner of Works, Whether the portrait of Andrea Spinola, Doge of Venice, painted by Vandyck, which occupied the place of honour at the recent Exhibition of Pictures by Old Masters at Burlington House, had been bequeathed to the National Gallery by the late Sir Joseph Hawley, and refused by the Director of that Institution; and, if refused, why?

MR. GERARD NOEL: Immediately I saw the Question of the hon. Member I communicated with the Director of the National Gallery. He informs me that the picture to which the hon. Member refers was not bequeathed to the National Gallery by Sir Joseph Hawley, and, therefore, it was not refused by the Director.

IRELAND—GRAND JURIES—COMPENSATION FOR MALICIOUS INJURIES. QUESTION.

MR. BLENNERHASSETT asked the Chief Secretary for Ireland, Whether, in accordance with the prayer of a Petition lately presented to this House by the Grand Jury of the county of Kerry, at Spring Assizes assembled, he intends to propose any alteration in the Law respecting the power entrusted to the Grand Juries to grant compensation for malicious injuries?

MR. J. LOWTHER: There have been suggestions made, with a view to various alterations in the Grand Jury Laws; but I think it is scarcely possible that the Government will be in a position to deal with the question of malicious injuries until the Grand Jury system has been dealt with in the Bill proposed to be introduced this Session.

ARMY—THE AUXILIARY FORCES—SERGEANT INSTRUCTORS OF VOLUNTEERS.—QUESTION.

COLONEL BARNE asked the Secretary of State for War, Whether the sergeant instructors of Volunteers appointed serjeant majors under Article 204 of Volunteer Regulations 1863, and previous to the issue of the Volunteer Regulations of 1878, would, when they retired, be entitled to a pension as laid down for a serjeant major in the Royal Warrant dated 6th of September 1876, and amended July 9th 1877?

COLONEL STANLEY: There is not, and never has been, any such rank as sergeant-major in the Volunteers, one of the sergeant instructors being allowed to act as such, and being granted an addition of 6*d*. a-day to his pay; but as these non-commissioned officers do not hold the actual rank of sergeant-major, they are not entitled to the sergeant-major's rate of pension laid down in the Regulation quoted. I may add that there have been some few cases in which the Commissioners of Chelsea Hospital have, from a want of proper information, granted the higher rates of pension. These cases it is not intended to interfere with; but I do not consider that they should form any ground for admitting others to the higher rate.

BURMAH—RUMOURED ULTIMATUM.

QUESTION.

MR. RICHARD asked Mr. Chancellor of the Exchequer, Whether there is any truth in the announcements which appear in the public journals that an ultimatum was sent last week to the Resident at Mandalay for delivery to the King, and that in this ultimatum the Viceroy demands, among other matters, that the British Resident shall be received at the Court without the ceremony of approaching the King without boots; that a British cantonment and garrison be established at Mandalay; that no Europeans be employed at Mandalay without the British sanction; and that all the existing royal monopolies shall be abolished; whether it is true that General Gore, the Officer commanding in British Burmah, has applied for five thousand more troops; and, whether his request for more troops has been granted and to what extent?

MR. E. STANHOPE: With the permission of the House, I will answer the Question of the hon. Member. My noble Friend the Secretary of State for India is in constant communication with the Viceroy, and I have his authority for saying that he has no reason to believe that anything of the kind has taken place. My answer must be understood as applying to both the rumours that have been referred to.

THE CAPE COLONY—SIR BARTLE FRERE AND SIR HENRY BULWER.

QUESTION.

SIR JULIAN GOLDSMID asked Mr. Chancellor of the Exchequer, Whether the statement made in the telegrams from the Cape is correct, viz., that a serious disagreement has occurred between Sir Bartle Frere and Sir Henry Bulwer with regard to the treatment of the Native levies; and, if that statement is true, what steps the Government propose to take?

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend the Secretary of State for the Colonies, to whom this Question might more properly have been addressed, is not in the House; but I have been informed that he has received no information whatever to the effect stated.

FOREIGN LOTTERIES ACT.

QUESTION.

MR. ANDERSON asked the Secretary of State for the Home Department, inasmuch as by the Act 8 and 9 Vic. c. 74, the Act now in force for suppression of advertisements of lotteries, action for recovery of penalties is confined to the Law Officers of the Crown and certain other officials; and, that notwithstanding frequent informations with respect to such lotteries actually going on, the Law Officers have not taken action or allowed others to do it in their names, If he will arrange that in future the same course that was taken with the projected Bank Lotteries will be taken with all others?

MR. ASSHETON CROSS: It appears that this Question relates to the subject of advertising the holding of lotteries, and not to the lotteries themselves. With regard to advertising, any person so doing renders himself liable to penalties to be sued for by the Attorney General in the Court of Exchequer. In several cases I have given warnings to persons that they were liable to be proceeded against in that way, and I have handed over the papers to the Solicitor of the Treasury for him to deal with, and in such cases as, in my opinion, ought to be the subject of proceedings, I shall continue to do so. I do not feel bound to interfere generally in regard to these matters. So far as Scotland is concerned the matter is different. There parties offending are liable to prosecution both on indictment and summary conviction, and at the suit of any individual prosecutor.

SOUTH AFRICA — THE ZULU WAR— PLANS OF THE CAMPAIGN.

QUESTION.

SIR ROBERT PEEL asked the Secretary of State for War, Whether, it having been officially stated that Lord Chelmsford's plan of campaign against the Zulu King was submitted to and approved by the Horse Guards or Military Authorities of this Country prior to its being put into execution, his future plan of campaign has also been submitted to and approved by the Horse Guards or Military Authorities in this Country?

COLONEL STANLEY: Lord Chelmsford's plan of campaign against the Zulu King was not submitted to the Horse Guards or the military authorities of this country in the sense in which that term is generally understood; but the Horse Guards and military authorities—and, I may add, myself—were cognizant of the terms of Lord Chelmsford's Memorandum, which was attached to despatches, and we saw no reason why we should interfere, with, perhaps, imperfect knowledge, with the discretion of the General Officer on the spot. So far as I am aware, Lord Chelmsford has not seen any reason to depart from his general ideas respecting military operations in Zululand; and I must say that I should consider that only most exceptional circumstances could be held to justify interference by the home authorities with the plans of a General Officer commanding in the field.

POST OFFICE MAIL CONTRACTS — PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY.—QUESTION.

MR. GOSCHEN asked the Postmaster General, What have been the number and the amount of the penalties incurred by the Peninsular and Oriental Steam Navigation Company for late arrivals since the year 1874, when the present contract commenced, under the absolute penalty system now in force; and, what would have been the number and amount of the premiums which the Company would have been entitled to for early arrivals of Mails during the same period if the Clause admitting such premiums, calculated as usual at half the amount only of the penalties in each case, had not been struck out by the Postmaster General when the last contract was renewed?

LORD JOHN MANNERS: Since the present contract with the Peninsular and Oriental Steam Navigation Company commenced, in 1874, there have been 117 voyages on which penalties were incurred, amounting to £32,300. Had premiums, calculated at half the amount of penalties in each case been stipulated for in the contract, there would have been earned by the Company on 644 voyages, during the same period, the sum of £92,400.

MOTIONS.

WELLINGTON COLLEGE.

MOTION FOR AN ADDRESS.

MR. J. R. YORKE, in rising to move the following Resolution:—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the origin, objects, and present administration of Wellington College; and to report to Her Majesty whether such administration is or is not in accordance with the conditions, or implied conditions, under which contributions were solicited and obtained from the army and the public when the College was founded; and, if not, to advise Her Majesty what alterations in the present system are required, and by what means they can best be effected,"

said, he did not wish to make any imputation of misconduct upon the present Staff of the College, which he believed consisted of able and energetic gentlemen, who, within the limits of their powers, had done all that was possible for the interests of the College. Neither was it his intention to cast any imputation of moral misdemeanour on the Governing Body of the College. What he intended to question was the policy which they had deliberately adopted since the opening of the College; and he should endeavour to show that it had not been in accordance with the engagements made when it was founded. The result was that there had been produced a state of things different from that contemplated by the original subscribers. The College was founded as a Memorial of the great Duke under a Charter, granted under the Great Seal in 1853, which stated that it was intended for the orphans of deceased officers, and for none others. In February, 1854, a report from the committee of Governors to a general meeting of subscribers contained a suggestion that the benefits of the College should be extended to the sons of living officers, and that their admission should be made the means of providing, in subordination to the primary object of the institution, a Public School at which the sons of officers might be educated at moderate charges. It was thought that such an extension of the original design would be highly beneficial to the school, and would confer a benefit on the Service by supplying a want long felt, and which they had unsuccessfully attempted to provide by their own unaided efforts. A resolution was passed that all meals should be taken in common, and that all boys admitted as boarders should be treated in this and in every respect as the foundation boys were. In July, 1855, in an appeal issued by the Governors for funds to provide a water supply, complete the chapel, and lay out the grounds, it was stated that it was intended to establish a school for 200 foundation orphans and 40 non-foundationers. The sum required was £26,000; the appeal brought in between £5,000 and £6,000; it was, therefore, determined that the upper dormitories should be dispensed with "at present." The original intention of the Governors was, therefore, deferred, but not abandoned. In 1856 the first stone was laid by Her Majesty, to whom an address was presented, in which it was stated to be the anxious hope of the Governors that within the walls, at no distant day, 200 orphans of officers would be educated, lodged, boarded, partially clothed, and otherwise provided for, between the ages of 11 and 16, and that admission would be regulated by strict attention to the claims of deceased officers and the circumstances of survivors. Finally, the College was opened with 81 orphan foundationers, and it was afterwards resolved that a certain number of non-foundationers should be admitted, the number not to exceed 100, and that for these places the sons of officers should have preference, and pay at the rate of £70 a-year, but that a certain number of the sons of civilians should be admitted at a fee of £100 a-year, The College was opened in January, 1859, the opening being inaugurated by Her Majesty, and at that time promises were held out as to improvements which might take place. The idea at the time was, undoubtedly, to found an efficient and unpretentious school for the orphan sons of military officers, and that they should receive a good education without the example of extravagance — the civilian element to be subservient to the military. What was the contention of the Governors? He gathered from the correspondence between the Adjutant General and the secretary last autumn that, subject to the obligations of maintaining a certain number of the sons of officers, they were to be at liberty to manage the College in other respects very much as they pleased. They put forward two alternative principles—first, that of an orphan charity school, which they regarded as being too narrow in its scope; and, secondly, that of a school for high-class education, conducted on a broader basis, which was the one they adopted. What had been the general result of that course? The school now consisted of 80 orphans, costing £6,400 a-year, or £80 a-year each; also 80 sons of officers, not orphans, paying £80 10*s.* a-year each, and £6 entrance fee. That produced neither profit nor loss. There was also a supplementary element, consisting of about 210 boys, and these were a source of profit. Some of these waited for admission to the second class for 15 months, during which they were paying £110 a-year, while some civilians paid as much as £135 a-year in the houses of the senior masters. The proportion of boys in the College was 283, as against 82 in houses, thus making a total of 365. There were the primary, subsidiary, and supplementary classes. The first comprised the orphan or primary section. At the opening of the College the prospect had been held out of the number of orphans being increased to 200; but instead of that they had diminished from 81 to 80. The school profits, added to all the other pecuniary donations which the College had received since the opening in 1859, amounted to £70,755; but the total amount received since 1852 was £235,983. So that nearly £236,000 had been contributed for the College, and as the result they had only the maintenance of these 80 orphans. He asked the House to contrast that with the solemn promise of the Governors, made in the presence of Her Majesty at the opening of the College, to increase the number of orphans to 200. The contrast was remarkable, and showed that the College had failed for the purpose for which it was established. With respect to the principles upon which the orphans were admitted, some time ago the limit of age was between 10 and 14; but since that time an alteration had been made, and the limit had been fixed at from 9 to 12. Now, surely an arbitrary limit of this kind was most unreasonable. Suppose that some of the officers who unfortunately lost their lives at Isandlana happened to have boys over 12 years of age. Were they to be considered so hopelessly corrupted and ignorant, that they could not be admitted to receive the education which they would have been eligible for if their parents had died when they were 11. A test examination, which was not originally contemplated, had also been introduced, and boys of the age of nine years were required to pass in Latin, grammar, and French. The result of the mania for a high intellectual standard was that the boys who were, or ought to be, the most eligible, were rejected, because they did not, at that tender age, come up to the requisite standard. An accident in infancy, for example, might so retard a boy's education as to deprive him of the educational advantages intended for him by the promoters of this institution. It was all very well for those in middle age to console themselves in their selfishness by the reflection that they had fortunately been born at a time when there was plenty of room for them in the world; but really, in these days, it was no joke to be a boy. The system adopted at the College virtually excluded the very cases which had the best right to be included. What was required was that this charity school—for such it was—should, so to say, take in the lame, the halt, and the blind. If there was to be any race in the matter, it had better be an intellectual donkey race, in which the most ignorant children would get in. [Mr. Gladstone: Hear, hear!] Yes, he maintained that in a charity school ignorance and poverty ought to be the highest qualifications for admission; and if the right hon. Gentleman opposite cheered ironically, he would refer to a letter written by Mr. Price, the master of Westward Ho! School, North Devon, who pointed out that if the sons of military men were often not so well educated as those of civilians, it was due in a great measure to the fact that their means obliged them to spend a great deal of their time on foreign service, and that, therefore, they were not in a position to supervise the education of their children. He now came to the subsidiary class—the sons of living officers. It was originally intended and officially mentioned that they should be taken at £30 a-year. He did not say that sum was sufficient; but there was a great difference between £30 and £80. Now, the lowest charge was £81 10*s*., without clothing, and subject to competitive examination. Surely, that was no great boon, seeing that at some of the Colleges for young gentlemen, where there was no endowment, the charge was only £84. It was stated by the Head Master, in his circular of October, 1874, that the number of those boys should be reduced to 80. It was added that the amount paid by those boys left neither profit nor loss on them. Why, then, their number should be reduced he failed to see. Such was the position of the sons of living officers. If they paid £110 a-year, they were taken without competitive examination; if they paid £81 10*s*., they were subjected to such examination. When he turned to other large educational establishments, he found that at Cowley, Oxford—the most expensive of them—the sum charged was £89; but there was no endowment. At Westward Ho! one of the best managed of all, the charge was only £67 a-year, and that was sufficient to pay a dividend of 4 per cent on the shares of the Company. Among schools that were continually advertised under distinguished patronage—at Trent College, for instance, under the patronage of the Duke of Devonshire—the charge was only £50, and at Dover College, under the patronage of Earl Granville, the same. It was a remarkable thing that such an education as was afforded at Wellington College, could not, in spite of its endowment, be had for less than £80, and he thought there must be some mismanagement. Then, as regarded the supplementary or civilian class, numbering 210, some who were in the College paid £110, others who were in the masters' houses paid up to £135. At Wellington College, instead of making a profit, they had a deficit, and they endeavoured to make it up out of the civilians, which reminded him of some of the interesting writings of the hon. Member for Maidstone (Sir John Lubbock) in reference to those ants which were represented as keeping milch cows. There was one other matter to which he desired to draw attention—namely, that vested interests were gradually growing up on the estate. Two of the masters had built their own houses; and an advertisement had appeared in *The Saturday Review* under the heading "Wellington College —Educational advantages," stating that a house on the estate was to be sold, carrying the right to send boys to the school. Surely in an establishment of that kind it was very objectionable to allow those vested interests to grow up; and if the question of revising the system should be considered, as he trusted it might be, by a Royal Commission, it was to be hoped that this matter of vested interests would receive attention. His contention in the main was that Wellington College had in 27 years departed nearly as much from the original intention of the founders as Eton had in 400 years. It seemed to him that such progress should be arrested; at all events, that inquiry should be made as to whether the progress was in the right direction. If not he feared they would have another of those little Etons which were growing up over the country; and, instead of its fulfilling the end for which it was intended, they would have, no doubt, a large and well-managed school, but not one which extended its benefits to those for whom they were meant to be provided. There had been a correspondence at the instigation of His Royal Highness the Commander-in-Chief, in which the attention of the Governing Body was called to the very great and widespread disaffection existing in the Army with regard to the College. He had in his possession a vast collection of letters written by officers of distinction, whose testimony was highly authoritative, although he was not at liberty to mention their names. Among such communications which he had received there were eight from generals, five from lieutenant-generals, and nine from major-generals. In these numbers were included all the generals in command of districts in England and Wales. Nor did these officers speak in their mere individual capacity. They were all representative men, and they recorded the testimony of their particular districts. The only general officer, in fact, who seemed to think the College was well managed was the hon. and gallant Member for Brighton (General Shute). His (Mr. Yorke's) allegations against the College were that they had only 80 orphans instead of 200, and that they had imposed the test examination, by which they excluded the very boys for whom the institution was intended, and who, by reason of the circumstances of their parents, had not had the advantages of a good education. He contended that it ought not to be necessary to fill the College with civilians. [Mr. GLADSTONE: Hear, hear!] He regretted that the right hon. Gentleman should have cheered him ironically. [Mr. GLADSTONE: Not ironically in the least.] He was glad to hear that such was the case. He objected to the creation of vested interests, and contended that there had been a vast amount of financial mismanagement, against which the Adjutant General had protested in vain. He acknowledged that it was a formidable thing to attack an establishment which had on its management such a formidable list of Royal and aristocratic names as had this. Nearly all the Royal Family and most of the present Cabinet Ministers were included in the management. He almost felt as if he was moving a vote of want of confidence in the Royal Family as well as in the Governors of the institution; but, of course, it was not to be supposed that all the illustrious and distinguished personages whose names appeared in connection with the College could be unremitting in their attendance at the meetings of the Governors. He thought it would be wrong to be deterred from asking for an inquiry by the magnificence of the names on the outside of the College circular. He asked the House to grant him this Royal Commission, because every other means of investigating the evils of which he had complained had hitherto failed. Complaints without number had been made; compromises had been attempted; mixed commissions had had their champions; all sorts of expedients had had their advocates, and they had all broken down. There was, to his mind, something appropriate in appointing a Royal Commission in connection with an institution so largely established and supported by Royal patronage. Though the College authorities were not legally, they were equitably bound to publish their accounts and to act as the public now wished them to act. If the appointment of a Royal Commission were permitted, the House would be doing a great public service, and assisting the onward progress of an institution which at one time had done great good, and was still capable, under proper management, of realizing the expectations formed at the date of its foundation. The hon Gentleman concluded by moving his Resolution.

Mr. R. E. PLUNKETT, in rising to second the Motion, wished to anticipate one or two objections which might be raised against the case which he advocated, and to prevent one or two possible misconceptions. It might be objected, he said, that he and those who agreed with him were altogether averse from the admission of civilians to Wellington College. But, as a matter of fact, the officers did not complain of the admission of civilians. They were, on social grounds, very glad that the civilian element should be added to the school; but their case was, that the sons of officers had been excluded from the institution while the sons of civilians had been admitted. Why should this have been the case? The Army had subscribed largely towards the foundation of the College; it was instituted as a national memorial of the greatest military leader our Army had ever possessed, and it was understood at the time when it was built that it was to supply a great want in the military education of the country. These facts had been put forward by the officers; but they were met by a rather frigid spirit on the part of the College authorities. He wished the House to recollect with what indifference the demands of the officers for facts and figures had been treated. The officers interested in the affairs of the College complained—as they had a right to—of the fact that no full and proper accounts were published as to the expenses incurred, or as to the reasons which might be supposed to exist for increasing the cost of managing the College. In return, the letters they received reminded him of an official correspondence a friend of his had with the War Office. His gallant friend sent in a bill of expenses, in which the item "Porter 1*s*." occurred; he received a note from the Department on a large sheet of foolscap informing him that refreshments were not allowed. Of course, the officer wrote to explain that, being at one railway station, and requiring to go to another, he employed a "porter" to carry his luggage. The Department acknowledged the explanation; but suggested that in the future he should in such cases use the word "porterage," to prevent confusion in the Office. His gallant friend concluded the correspondence by asking whether, when he had to charge a cab, he should put it down as "cabbage." He would defy anyone to tell how many boys were in the school, as three different numbers were given by the Directors in the same letter—namely, 301, 365, and 291—so that really one could not tell what reliance to put upon the Directors' report. Nor could they get the amount of money spent upon the boys. The most difficult point to be dealt with was the kind of education to be given in the College. The College was intended for the advantage of the Army; but the Army element was being gradually pushed out from the advantages of the scheme on which the College was based. The Governors maintained that at some indefinite time they might increase the number of the orphans; but as it stood, not only was the number of orphans limited, but the number of paying officers' sons. The motto, "*Filii heroum*," had been written on the school by its founders; but it now would have to be translated, not "sons of heroes," but "sons of monied men." The help of the House of Commons would be necessary to achieve that object. He desired the College to remain as a military College, and not be turned into a proprietary school. He felt that the Army would receive no satisfaction from the Governors unless the House took the matter in hand; and he would, therefore, ask hon. Members, if they granted the request asked for, to grant it in full. If the House determined to proceed, let them proceed in a manner which was worthy of its dignity, and not allow any half-measures to be used, but let them see at once that right be done.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the origin, objects, and present administration of Wellington College; and to report to Her Majesty whether such administration is or is not in accordance with the conditions, or implied conditions, under which contributions were solicited and obtained from the army and the public when the College was founded; and, if not, to advise Her Majesty what alterations in the present system are required, and by what means they can best be effected."—(*Mr. Reginald Yorke.*)

MR. C. S. PARKER said, that having served on the last Royal Commission on Military Education, and on the Public Schools Commission, he had taken some pains to ascertain the facts about Wellington College, and to form an opinion. The House would, no doubt, show the utmost consideration for gallant officers who thought themselves aggrieved; but he trusted that hon. Members would approach the question in a spirit somewhat different from that which had pervaded the speeches of the hon. Mover and Seconder of the Motion. As to the facts, there had been much misconception, nor had they now been stated quite correctly. The total subscriptions to Wellington College, including £25,000 from the Patriotic Fund, amounted to £165,000. Of that sum, £60,000 was spent at once upon the site and buildings, and the remaining £105,000 was invested as an Endowment Fund, at 4 per cent, producing £4,200 a-year. The hon. Member for East Gloucestershire (Mr. J. R. Yorke) added a sum of more than £70,000, which he said had been received since the school was opened. But most of that sum was income, laid out as it accrued, partly on current expenses, partly in completing the College, and in adding a Head Master's house, a chapel, an excellent sanatorium, and other buildings, resembling those of the best Public Schools. The endowment with which the Governors had to deal was £4,200 a-year. With that sum at their disposal, two policies were open to them. It was possible to educate a larger number of boys on a cheaper system, or to give to a smaller number a more expensive education. To expect that a sum of £30 a-year would pay for the board and proper education of officers' sons was almost ludicrous. At £40 a-year 100 boys might have been educated, or 80 boys at £50. The Governors decided to take 80 boys, but to give them an education costing £80 a-year. Where, then, was the additional £30 to come from? It was obtained by admitting sons of civilians, who were willing, seeing the excellence of the education, to pay £110 a-year, being £30 above the cost price. These civilians went into the open market, and selected Wellington College as likely to give them the best bargain for their money. Thus the College obtained a profit sufficient, not only to make good the deficit for the 80 orphans, but also to give the means of gradually completing the buildings. At the same time, 80 sons of living officers were admitted at the cost price of £80. Their number was limited, because the College could not yet afford to take more of them without profit. These being the facts, the question raised by the hon. Mover was twofold—first, was there any breach of faith? and, secondly, was the policy a mistaken one? As regarded the sons of living officers, it could not for a moment be contended that there was any departure from the original engagements. His hon. Friend did not state what proportion of the endowments was subscribed before there was any mention of this class. He was informed that the subscriptions already in hand before the sons of living officers were mentioned were nearly 95 per cent of the whole. The hon. Member for West Gloucestershire said the Army had subscribed largely. But what they subscribed after the proposal to admit others than orphans was little more, he believed, than ½ per cent of the total funds. As to the general policy of the Governors, they had to do honour to the memory of a great man. Their feeling was that both the buildings of Wellington College and the education given there should be worthy of him. They resolved that the instruction should be first-rate, and especially that it should be such as to fit lads for the higher scientific branches of the Army. And, in that respect, the school had been remarkably successful.

In the year 1877-8, among the candidates entering Woolwich, there were 10 from Wellington College, some of whom took very high places, and 32 obtained direct commissions in the Army without leaving school to go to a crammer, a point to which the Military Education Commissioners attached great importance. Others had won Scholarships and Exhibitions at Oxford and Cambridge. Such results could not be achieved without considerable expense. At Marlborough, it was true, for sons of the clergy the cost was somewhat less; but this was partly owing to the number being greater. With an increase of numbers at Wellington College, the cost per head might be reduced. At Cowley a Military College had been founded on co-operative principles by officers themselves, than whom none knew better how to obtain full value for their money. But the cost at Cowley College was about £10 a-head higher than at Wellington. At Cowley, it was true, there was no endowment; but at Wellington the endowment was only for the orphans, and did not much reduce the price to others. Westward Ho! had also been quoted, but it remained to be seen whether the school there would continue to educate boys up to a good standard at the present charge. As to competition for entrance, there was, no doubt, something to be said against it in the case of officers' sons who had not the advantages enjoyed by others. But it was now applied at Wellington only to a very small extent. Under Dr. Benson, 10 places were reserved for competition. As for the test examination, his hon. Friend would probably not find many in the House to agree with him that it involved any breach of faith, or that the memory of the great Duke would be best honoured by an intellectual donkey race. It could not seriously be maintained that the Governors of Wellington College were taken bound not to hold an ordinary entrance-examination, such as was enforced in almost every school of credit. The hon. Member had dwelt on the hardship to boys who had not received an education suitable to their age. No doubt, there were hard cases of that kind. But in all schools such boys were a most difficult element to deal with. They were, of necessity, classed among the small boys where often, they did a world of mischief. The same difficulty led to the superannuation of boys who did not make progress answering to their age. The Head Master, he believed, was desirous that there should be no mechanical rule of superannuation, and the regulations of that kind were worked in a spirit of leniency, and afforded no substantial ground for complaint. The question really at issue was, what kind or "grade" of education should be given? If it was to be of the first grade, the sum of £80 for board and instruction was not excessive. The Schools Inquiry Commission, it was true, alleged the example of Marlborough as proving that if the buildings be provided the best education could be given for less than £60 a-year. But the cost at Marlborough was now £65 a-head with 560 boys. In the opinion of the Head Master of Uppingham, who was an authority on this matter, having given much attention to it, £80 a-year was low for the average cost of a first-grade school of 300 boys. The charge of luxurious living at Wellington he held to be unfounded. This was admitted by the hon. Member for East Gloucestershire with respect to the College itself. In the masters' houses the charge was naturally higher, but did not exceed £130. Bearing in mind that this included a profit of £30 to the College, the living could hardly be called luxurious, as compared with other schools. There might be room for improvements and economies; but, if any inquiry were necessary, he thought it should not be by a Royal Commission, the appointment of which might be supposed to imply some censure upon the policy of the Governors. It would be better to appoint a committee from among the Governors themselves. They were a body of very distinguished men, some of whom, as Cabinet Ministers or otherwise, had little time to spare; but others, not less capable, had leisure for investigation. Such a committee might confer with the officers who had complaints to make, and might report to the Crown as Visitor of the College. His own impression was that the presence of civilians in the College, when rightly understood, would cease to be complained of as a grievance. Financially, as his hon. Friend had said, they might be regarded as milch cows. But they stood also in other and more honourable relations to their companions. It was undesirable that any school should consist exclusively of a single element—military, clerical, or commercial. Wellington College was intended chiefly for the sons of soldiers; but, with all the good qualities they displayed—such as manliness and regard for truth and honour—it was for their own good and for the good of society that they should mingle at school, as in after-life, with the sons of other professional classes. On these grounds he was not disposed to find fault with the policy of the Governors, but rather to admire the success they had achieved within the space of 20 years in founding a great Public School.

MR. GLADSTONE: I do not speak with the authority which my hon. Friend who has just sat down derives from having taken part in inquiries relating to education, and military education in particular; but my domestic relation with the Head Master has caused me to become acquainted with the arrangements of the school in some degree, and I am very desirous to do what I can towards assisting the House in this discussion, which involves some elements of obscurity which, in my opinion—and I say it without any disrespect—have not been cleared, but rendered darker, by the speeches of the Mover and Seconder of the Motion. I think there is a good deal of force in what has fallen from my hon. Friend behind me with regard to the Governors of Wellington College. It has not been a usual proceeding on the part of the House, although it is a thing that has been done, to pay for the appointment of a Royal Commission *in invitos*. When a Commission was so appointed on the University of Oxford, some of the Colleges refused to give evidence, and there were no means of obtaining it; and when, subsequently, a later Government proceeded to examine the case of the Public Schools, and came to the conclusion that an inquiry by Royal Commission was desirable, they also came to the conclusion that they must either proceed with the goodwill of the authorities or else ask Parliament for authority to appoint a Commission. They made a reference to the Public Schools on the subject, and the authorities were perfectly willing that such a Commission should be issued. In the present case, I think it would be a considerable rebuke to the Governors if the House were to adopt this Motion. It is perfectly true, undoubtedly, that many of the Governors in a body of this kind do not pay great attention to the regular and ordinary transaction of business. But it is also true, in this instance, at any rate, that many of the Governors have paid very great attention to it. I believe I may say, among others, that the distinguished father of the right hon. and gallant Gentleman the Secretary of State for War did himself give a very great amount of time and attention to the consideration of all these arrangements; and, in fact, I have a strong conviction that there was no important arrangement of the College which had not his consideration and, I believe, his approval. It is rather a serious matter whether you will invade their province and show such a want of confidence in this body as to propose to interfere with their proceedings, and especially in the case of a College with a constitution of this kind. For the Queen is a Visitor of the College; and I have not the least doubt that, in virtue of that capacity, it would be perfectly possible for Her Majesty's Government to institute any inquiry for which they may think there would be a case conformable with the rules of the College, without implying the slightest reproof or disparagement to those to whom I think we are very considerably indebted for having superintended and regulated the foundation of a very important and efficient institution. It certainly is an efficient College; and it is no small matter in the course of 20 years to put bricks into the soil, and to constitute a school that shall be able to take rank with our other Public Schools; nor can it be done for a small sum of money. I should like to have some of the obscurities in connection with the question cleared up. Both the hon. Member, and Sir Charles Ellice in his later letters, assume that they speak for the Army; they say the Army thinks this and that, and desires such and such a course to be followed. But we have no authentic means of information to tell us in what degree the dissatisfaction which exists is the dissatisfaction of the officers, or even of a portion of the officers, and very naturally that portion, in the persons of their friends, may have been the most unfortunate with regard to obtaining the benefit and provisions of the foundation. The hon. Gentleman has really run a tilt at intellectual excellence; but before I enlist under his banner, I should like to know whither he intends to lead. The hon. Member objects to all examinations of children of 9 or 10 years of age. [Mr. J. R. Yorke: Hear, hear!] But what in the world does the hon. Member mean, when he consents to a system of public examination, not for the children of officers, but for the children of peasants, who have infinitely less means of general information, and which system we are endeavouring to work entirely upon the basis of education for children of the most tender years?

Mr. J. R. YORKE: I object to their being excluded from the possibility of instruction, as a consequence of their ignorance, when they present themselves for admission.

Mr. GLADSTONE: That is precisely the case. The hon. Member says that this is a College founded for the halt, the lame, and the blind. I will not again refer to his simile of the intellectual donkey race; but let me assure the hon. Member that if this is to be a school for the halt, the lame, and the blind, and if those officers' children who have been better instructed and better prepared are to be put aside in order that the most ignorant as well as the poorest children may be admitted by preference — that if such a state of things is to be established—the hon. Gentleman will, undoubtedly, introduce a revolution into the arrangements of this College. It is quite evident that the intention of the Governors was to establish an institution and an educational system upon a high scale and a high class. They knew very well that there was an idea in the public mind that the officers themselves had not been sufficiently instructed, and they desired to lay the foundations of education in their children and to rear up young men who would afterwards take rank with the most highly instructed officers of the Army. But that could not be done at a small cost; and if, instead of aiming at a high education, they had substituted for their pupils the halt, the lame, and the blind, the staff would disappear. It would be no hardship to the staff, of course; but the hon. Member would have to choose men of a very different stamp to deal with the intellectual hospital that he proposed to establish in honour of the Duke of Wellington. It is really a question between the better and the worse. In my opinion, it is a misfortune that a good education, although an excellent commodity, is very expensive, and I am sorry to see it is growing dearer and dearer in this country. There are many who regard the expense of education as a real grievance; but the House must not think to dispose of the matter by referring to the very touching circumstances that may always be brought forward in abundance as to the children of those officers who have fallen in action. The test of the matter is whether the hon. Member has succeeded in dealing with those children. Between him and me there is no difference on one point—we agree that the College was founded for the benefit of the officers of the Army, and certainly not for the benefit of the public at large. It is for the officers of the Army, subject only to the limitation that the funds are to be applied exclusively to the maintenance of the orphan children of officers; and the children of other and non-military persons are introduced there in order that, by their introduction, they may extend to the officers of the Army the advantages that the College was intended to secure. There is no difference of opinion between us on this point; but the hon. Member complains that there are only 80 orphan children in the College, whereas 200 were originally promised—as the hon. Member said, solemnly promised. Another of his complaints is that the paying children are admitted only in limited numbers; and thirdly, he complains of the very large number of civilians. Now, these complaints are absolutely destructive of one another. The hon. Member complains that there are too few orphans, while at the same time there are too many civilians; but it is quite clear that if he cuts down the number of civilians, he will also be obliged to curtail that of the 80 orphans. The figures with respect to the College are not complicated. The income of the College available for eleemosynary purposes is £4,000 a-year, and the sum spent on the orphans is £6,400. There is, therefore, a sum of £2,400 to be found every year in order to meet the eleemosynary expenditure upon the orphan children of officers. How is that sum provided? Simply out of the extra payments and out of the profits afforded to the College by those lay or non-professional scholars of whom the hon. Member complained that there were too many. But if you choose to cut off one-third of them, you cut off one-third part, or £800, of your £2,400 a-year, and you must consequently cut down 10 orphans, whose maintenance is represented by that £800.

MR. J. R. YORKE: I described the mal-administration to which the management of the Governors had brought the College.

MR. GLADSTONE: I am glad of that, because it leads me to endeavour to disentangle two questions which are entirely distinct, but which have been unfortunately mixed in the letters of Sir Charles Ellice and in the speech of the hon. Gentleman who moved the Motion. Those questions are—Have the Government been guilty in the past of sacrificing to the lay element the interests of the professional element in the College? I do not hesitate to say that the main strain and stress of Sir Charles Ellice's letter is upon that charge, and that strikes at the whole foundation of the system of government in the College. In my opinion, it is an argument which cannot be sustained in argument, but which is perfectly self-destructive; because the most superficial examination of the figures will show any Member of this House that it is by the lay element that the Governors are enabled, as matters now stand, to extend the eleemosynary expenditure of the College. The same thing applies, only in a minor degree, to the other complaint of the hon. Member, that the paying children of officers are not admitted except in limited numbers; but it is easy to see that there is no force in that argument. Let us suppose, for example, that instead of 80 paying children of officers we took 160; the meaning of that is, you put in 80 laymen who have paid £30 apiece towards the maintenance of the 80 orphans who have not paid at all. You may say "No," because, though I eject 80 lay scholars from the College buildings, they may go into the masters' houses. Yes, but we have not done with the inconsistencies of the case; because one of the specific causes of the hon. Gentleman's complaint is that there was such a large number of masters' houses, so that he has cut himself off entirely from that refuge. [MR. J. R. YORKE: I complained simply of the terms.] Yes; but could the masters find houses for nothing? If you are to have a great addition to the officers' children, and you are not to eject the paying boys altogether in order to receive that great addition, you must provide for them by sending them elsewhere where the charge will be higher; and I want to know whether the hon. Gentleman approves the large invasion of the Endowment Fund which will be necessary in order to raise the new College buildings which would, in these circumstances, be required. But let us carefully separate the question whether the lay element is to be sacrified to the professional from that other question which ran more or less obscurely through the speeches of the Mover and Seconder of the Resolution. The question is a very serious one—Have the Governors of Wellington College been right or wrong in fixing the scale on which the institution has been established? And this embraces two essential points—first, as to the scale of living; and, secondly, as to the education which is given. There can be no doubt that, upon the whole, the College has been administered on the same principles from the first. I quite agree, however, with the hon. Gentleman on one point, and that is that it was most unfortunate that before any practical step was taken philanthropy had an opportunity of putting its dreams into pen and ink *ad libitum*, and that the officers who naturally would be ready to catch at such a prospect should be told that for £30 a-year they could have their boys supported and educated. That was an extraordinary miscalculation; but very shortly after it was made the Governors were employed in taking into consideration the erection of the structure, and they determined that they would build a single room for every boy. Now, I ask any hon. Gentleman who is conversant with the arrangements of our Public Schools what he thinks of the accordance between a magnificent building, with a spacious room for each boy, and the charge of £30 a-year? But there is another curious fact which has reached me from authentic sources, and that is that at the time when, of course, the Governors were very reluctant to recede from the expectation of providing education for £30 a-year, once that expectation had been held out, the question was being taken seriously into consideration whether it would be necessary to give the boys meat every day in the week, or only upon a certain number of days. What satisfaction would it now give if the dietary of Wellington College should be fixed so that there should be meat only on three days a-week? The hon. Member for Berkshire (Mr. Walter) will correct me if I am wrong; but I believe that within no very long time the Governors have thought it right and wise that the boys should have meat twice a-day if it suited them—in fact, there is an upward tendency in expenditure that is a most serious matter to examine into. Those who have given so much time and thought to the organization of this institution from the first were of opinion, if I am not mistaken, that it should be a school of a high class, and that it could not be made a school of that class in regard to its intellectual standard unless the mode of living were also fixed on a certain scale, which, however, is not extravagantly high. That has been, I believe, a fundamental idea in the arrangement of the institution all along. Now, is it possible to bring that question to an issue? There is no use or advantage in blinking the matter. The lay element is made to contribute to the support of the military element. It contributes largely, and I hope may be made to contribute more liberally. But if complaint is made of the sacrifice of the military to the lay element, I am very sorry that that pressure for a more economical system of expenditure has not been brought before the public by officers in the Army. If there are a large number of officers who want a change of system, there is no reason why they should not put it forward. It has never, in fact, been put before the Governors; but representations to the Governors have all along been founded upon the accusations which were made in the course of the speech of the hon. Member to-night. The hon. Member was not quite fair towards the Governors. He says they promised that 200 orphans should be supported out of these funds, but they never proposed anything of the kind. Lord Derby, indeed, stated that he anxiously hoped that, at some not distant time, 200 orphans might be provided for. That expression of a hope was magnified into an expectation; but there are a great many things which I am sure hon. Gentlemen anxiously hope—there are certainly a great many things which I anxiously hope which I am far from expecting. The House will, I trust, draw a broad distinction between the two questions which have been raised. As to the alleged unfairness towards the Army and in favour of the lay part of the population in casting the balance of the different positions of the professional and the non-professional pupils, I hope it will answer in the firmest manner, "No." The other question is the possibility of affording an education substantially as good as that now given on a lower scale of expenditure. My hon. Friend behind me has adduced some very formidable evidence on that point; but it is a question which has never been laid fairly before the Governors, and which, if raised, ought to be raised in the first instance for their consideration. I know not whether it was or was not strictly prudent; but it certainly was a very gallant determination on the part of those who fixed the original arrangements for the College which led them to found it on a scale so liberal, with a building which cannot be called anything less than magnificent, and with the firm intention that the boys should find themselves substantially on a footing with those in the first Public Schools in England. I do not deny the right of those to have the question examined who wished to lower the scale of living, or even of the education, though I trust the language of the Mover of this Address will not be adopted. They are perfectly justified in asking that the question should be considered; but if it is to be considered at all, it should be considered by the Governors, and should not be based on the slightest accusation against them, which I maintain, even as the case has been stated by the hon. Gentleman, has not a shadow of justice.

General SHUTE said, that his hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke) frequently joined in military debates, but generally took a part adverse to the Army. It was only a few months ago that he specially exerted himself to induce the Government to expel our fine Household Cavalry from Hyde Park and transport them to the slums of London. He congratulated his hon. Friend on the more kindly interest he had in this instance shown in the Military Profession. He felt deeply obliged to him for having brought forward this question. Every patriotic Englishman must take a deep interest in a charitable institution, the object of which was to educate the orphans of gallant officers who had fallen in action, or prematurely died from the hardships of military service, and whose little all might have been expended in the purchase of a commission, the value of which had been, by death, forfeited to the country. The right hon. Gentleman, after whose eloquent speech he (General Shute) hardly dared venture to rise, had proved to the House how much these orphans owed their education to the profits derived from the high rate charged to the sons of civilians also educated at the College, whose numbers, therefore, might gradually fall off and occasion a great loss to the charity were it not shown by this debate, as he hoped it would be, how excellent an educational establishment Wellington College was. The daily Press had been flooded with articles to the school's discredit. Even within the last few weeks he had met two old Winchester schoolfellows, one in London, the other in Brighton, and each remarked—"Well, I was going to send my boy where your son was; but I have now sent him to our old public school, Winchester." On inquiring why, the reply was to the effect—"Oh! I have heard that Wellington is infamously conducted. They tell me that it has been shown up in all the papers, and at last its management is to be inquired into in the House of Commons." He said, in reply, how sorry he was, for that his friends would have obtained for their sons, in a social and literary sense, the best education in England, at a far lower rate than at Winchester, besides contributing, at the same time, £30 a-year towards an admirable charity. It had been complained that the funds of the College had increased, but that there had been no proportional increase in the charity; but the absolute necessity of gradual additions to the building, erecting a sanatorium, hall, courts, &c., for the boys, seemed to have been forgotten. But, besides this, originally there were only 60 orphans, who paid from £10 to £20 a-year each; there were now 80, educated, boarded, &c., for nothing. There were also now 80 sons of living officers admitted at cost price—namely, £80 a-year. In fact, they had now 80 orphans paying nothing, 80 sons of living officers paying £80 a-year, and 223 sons of noblemen and gentlemen paying, those in the dormitories, £110 a-year each, and those in masters' houses, about £130 each, giving a profit to the College of a fraction over £5,000, to whom, therefore, the orphans, in a great degree, owed their education. His hon. Friend wanted to reduce this College to a second-rate school, or, as he would seem to call it, a "College for failures." Where, under such circumstances, would he find a civil element to produce £5,000 a-year? His hon. Friend complained that there was an invidious distinction between private gentlemen's sons and foundationers; but he (General Shute) had questioned his own boy, and at least a dozen other Wellingtonians, who all said that they did not even know the difference. At Winchester and Eton the foundationers wore gowns; but at Wellington no one knew which was which. His hon. Friend was quite incorrect in saying that the civil element, by their example, got extravagant notions; but such was not the case. The sons of the newly-made rich, and who made a display of wealth, were more frequently sent to Eton. At Wellington they had the sons of a few noblemen, who had been connected in earlier life with the Army; sons of officers who had formerly left the Army; sons of some of the Bishops and clergy, and sons of country gentlemen; and that this mixed society was socially, as well as in a pecuniary sense, a great advantage to the orphans, and would increase their acquaintance much to their advantage in after-life. His hon. Friend complained that when there there were more orphans and £80 candidates than there was room for, that a test examination had been applied; but he maintained that that was better than selection, which usually meant jobbery, social, personal, or political interest. To prove how discontented the Army were with Wellington College, his hon. Friend held up a large bundle of letters, which, he said, however, that he was not at liberty to read; but it so happened that he could read to the House extracts from the contents of one of them, and, as it exactly expressed his own opinions, he would do so.

"I cannot but speak in the highest terms of the education the boys receive, and am fully satisfied with the entire management of the institution. The masters are both scholars and gentlemen, and I am inclined to think that the College would degenerate if it were confined solely to the use of the sons of officers at the rate claimed by them. . . . . It is, of course, obvious that for officers dependent on their pay the charge for education is put at rates

> far beyond their means; but I do not think that the present standard of education could be maintained at a lower figure than now exists. . . . I dissent from the opinion that the whole of the arrangements of the College are too luxurious, unsuited for the sons of poor men who have to make their way in the world. I have no proof of any tendency to extravagance. . . . The tone of the school is good, the boys are well satisfied and happy."

This letter was written by one of the only two writers of the 26 letters that his hon. Friend had displayed rolled up in a bundle to the House, who had themselves had boys at the school. Of the others, many of the writers had little experience in education, having had no children of their own, and never being likely to have any. He considered that the Motion was an undeserved censure on a most influential and competent Governing Body, the names of some of whom he would read, who had been most attentive to the interests of the College—President, H.R.H. the Prince of Wales; Vice President, Colonel the hon. W. P. Talbot; *Ex-officio* Governors, the Commander-in-Chief, the Archbishop of Canterbury, the Duke of Wellington, and the Secretary of State for War; Governors, the Duke of Connaught, Prince Leopold, the Duke of Cambridge, the Lord Chancellor, the Duke of Richmond, the Duke of Buccleuch, the Marquess of Salisbury, Earl Granville, Viscount Eversley, Viscount Cranbrook, Lord Hampton, Lord Napier of Magdala, the right hon. S. H. Walpole, General Sir John Simmons, General Sir Alfred Horsford, General Sir H. D. Harness, John Walter, Esq., M.P., Henry Cox, Esq., and the Rev. G. R. Gleig. He admitted that a good deal of money had been expended on the building of the College; but it must be remembered that it was, he might say, a monument to the great Duke. For the present fine approaches to the College, and planting and laying out of the ground, they were almost entirely indebted to the liberality of his hon. Friend the Member for Berkshire (Mr. Walter). As to the bundle of complaining letters, none of which had been read, they were as easily obtained as signatures to Petitions. Finally, he trusted that the House would not grant a Royal Commission, not that the College had any reasons to fear inquiry, but because it would be a very undeserved snub to the Governing Body; inconvenient, and an uncalled-for expense. It was clearly shown that there was no just cause to complain of this most admirable College, which was no "little Eton," as his hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke) had designated it, but one of the best Public Schools in the country.

MR. WALTER thought the Body of Governors might well be satisfied to leave their case in the hands of his right hon. Friend the Member for Greenwich (Mr. Gladstone), who had so gallantly come forward to defend them a few minutes ago. But as he had the honour during the last 14 years to be a member of that Board, and as he did not think he had missed a single occasion of its yearly meeting, and as he saw another right hon. Friend who was also a member of that Board, he thought it would hardly be becoming in him to refrain from saying a few words in defence of that Body on the occasion of the attack which had been made upon them. He gathered from the remarks of the hon. Member (Mr. J. R. Yorke), that the Governors would, at any rate, not be indicted for malversation of public money. But the hon. Member had, nevertheless, spoken, in a tone which was somewhat slighting, and hardly justified by the facts of the case, of what he conceived to be the almost irresponsible position of that distinguished Body. If the hon. Member really believed that those distinguished personages did take an active share in the concerns of the College, he would have hesitated to prefer so serious an indictment against them. He should not trouble the House by reading the names again of that Board. The list contained the names, as the hon Member stated, of members of the Royal Family, of a great many Cabinet and ex-Cabinet Members, Archbishops, and Bishops, and, in fact, the names, he might almost say, of the eminent men of rank who had figured before the country for many years past. But if the hon. Member thought that because the Board of Wellington College was a very distinguished Body therefore it did not attend to its duties, he was under a great mistake. He might say that at every half-yearly meeting from 12 to 14 members were present, who devoted two or three hours a-day to a painstaking examination, not only of the financial affairs of the College generally, but of those educational matters on which the hon. Member had touched. How could the hon. Member suppose that the professional members of the Board—officers who had served on it for many years past—could have been so utterly neglectful of their duties to their professional brethren as to allow the whole concerns of the College to go wrong; to allow the revenues to be perverted from the original foundation, from the professional to the civilian; and to admit the imposition of improper examination tests, and all the other wrongs imputed to them. He would read the names of the professional officers who had been, or were now, active members of the Board, and who had devoted, at least, as constant attendance to the Board as any other members:—The Duke of Cambridge, the Marquess of Anglesey, Lord Hardinge, Lord Gough, Lord Seaton, Lord Raglan, Lord Herbert of Lea, Sir Howard Douglas, Sir James Scarlett; and, in addition to these and other members, the College had had the services for a great many years, until prevented by age and infirmity, of the Chaplain General. He did not know how the hon. Member for East Gloucestershire could suppose that all the abuses he alleged could exist while those gentlemen were active members of the Board. Surely the hon. Member might have been charitable enough to suppose that they acted from a strict sense of duty, and that they were impressed with a full sense of their responsibility, not only to the public, but to the noble Profession. Now, a great deal of this misconception, he believed, arose from this—that the promises on which so much stress was laid were given several years before the College really was on its legs. The promises were given in 1856, and the College only assumed an active shape in 1859. The growth of an institution of that kind must be of a progressive character. It had to grow; it had to obtain a character; it had to decide on a course of policy, and that was decided, to a great extent, by the means at its disposal. This question was partly one of policy. It was also in a great measure—at least, for the purpose of the present discussion—a question of pounds, shillings, and pence, and that was the point on which he would insist. He contended, in opposition to the hon. Member, that those interesting members of society for whose benefit the College was founded really owed at present their education not so much to the liberality of the public as to the profits supplied by the sons of civilians. It was said the public supplied an enormous sum, and he heard it said this sum amounted to £250,000. Now, what were the facts? The public, from first to last, had subscribed £121,000, in round figures. The interest on that sum which could be applied to the use of the College was about £20,000. That made £140,000. The Patriotic Fund subscribed £25,000, and the legacies about £14,000; and that was literally almost the whole amount the public had really subscribed to the purposes of the College. The sum which it was found possible actually to invest for permanent endowment had been only £105,000, producing about £4,200 a-year. The education of the 80 boys on the foundation cost about £6,200 a-year. This left a margin of about £2,000 to be made up out of some other source, and what source could that be but the profits from the sons of civilians? He did not think the figures had been stated; but he might mention that the profits accruing to the College from the sons of civilians amounted to no less than £5,200 a-year. That was the sum which kept the College going, and enabled it to retain its status as a great College. With the permission of the House, he would submit a few figures from the balance-sheet, showing what sums of money had been received by the College from the year 1852 to 1878 inclusive; and he should leave it to his hon. Friend to make any complaint he might think fit on the result of that statement. The receipts—and he begged his hon. Friend's attention to this—for College subscriptions to December, 31, 1878, amounted to £120,785—he omitted shillings and pence; received from Patriotic Fund, £25,000; interest on investments, £20,642; legacies, £13,804; subscriptions to building chapel, £2,445; loans outstanding, £5,000—he was sorry to say, like many other people, they began to borrow—donations for prizes, £2,917. Rents of houses and ground-rent, £7,056; new estate receipts, £2,255; miscellaneous, £739; and the donation by the Duke of Wellington for sanitarium, £1,160—amounting in all to £201,808. That was the whole of the money that had been subscribed from the year 1852 to the end of last year. To that must be added a balance, made up partly out of the profits of the school, and partly out of a sum borrowed from the Endowment Fund, of £62,982, making a total of £264,790, all of which had been subscribed by the public before the College was opened, as they were told; but it was nothing of the kind. He had now to state the payments. Purchase and laying out lands and grounds, £21,401; the main building—which had to be added to from time to time to meet the wants of the school, and very much on the suggestion of the professional members of the Board—£77,116; Head Masters' house, £5,184; chapel, £9,365; sanitarium, £4,145; gasworks—a large item—£5,744; waterworks—an artesian well was sunk 500 feet or 600 feet deep to get water; the amount included steam-engine—£4,131; racquet-court, £996; farm and garden buildings, steward's house, and lodge, £1,842; building materials, furniture, and preliminary expenses before the opening of the College, £10,476; payments on account of new estate, £3,416; interest on loans and donations, £5,857; invested for prizes, £1,566; expended on buildings producing rents, £8,545—making £159,790; and, adding the Endowment Fund £105,000, there was a total of £264,790. The School Surplus Fund amounted altogether to about £50,099, and he did not know in what way this money could have been better spent. The hon. Member said it ought to have been spent in introducing more foundationers. A Public School, to be a good school, must be a large school. A small Public School could not be well conducted. There must be a proper competition among the boys. The forms must contain a certain number of pupils. The College would be far richer and better calculated to meet the views of the hon. Member if the numbers were 500—and he hoped to see them up to that number—than at the present figure. But he repeated that the whole question came to this—that the only means of extension and further benefiting the class of the foundationers was to increase the civil element of the school. Why? Because the country had not subscribed the sum requisite to produce the great results it ought to secure. He would say a word with regard to the test examinations. For boys between 9 and 10 they were really of the most moderate, he might say even trifling, character. Many of the children sent up knew much less at the same age than those brought up at an ordinary elementary school. How was it possible to conduct any class satisfactorily, if it consisted of those who were not fairly up to the mark? That was simply what the test came to. The actual state of the test was this—For boys between 9 and 10, what was required was reading and spelling—good reading being indispensable—simple addition and subtraction, and to say the multiplication table. Surely that was a most moderate standard. A boy who could not pass such an examination would hardly obtain a capitation grant in an ordinary elementary school. The standard for boys from 10 to 11 was reading, writing, and spelling, and the four first simple rules of arithmetic. In grammar, either Latin to the end of the first conjugation, or French to the end of the verbs *être*, *avoir*, and *parler*, construing very easy sentences with a dictionary, and doing exercises in easy combinations of French words. Surely that was not an examination to terrify parents or call down the censure of that House. With regard to the remarks which fell from the hon. Member as to some sort of attempt to obtain a friendly settlement by four members of the Board and four officers, that had fallen through. If the Government should think that a Royal Commission should be appointed, or if the House thought fit to adopt any other means of inquiry, he would take no part in it, leaving it to others to judge whether the conduct of the Board had been such as to entitle it to the confidence of the House. In carrying on the business of the school, the only object was—he could speak for himself, and he was sure it would be endorsed by the other members of the Board—to make Wellington College a great Public School worthy of the name of the founder, not only without detriment to the interests of the foundationers, but greatly to their benefit. In his opinion, a professional school, consisting merely of the sons of officers and the sons of clergymen, would be an unmixed evil. Nothing could be better than a fair admixture of those classes with the civilian element, especially where the latter contributed largely to the higher education of the school. He left the case with confidence in the hands of the House.

LORD GEORGE HAMILTON wished to say a few words, especially as his hon. Friend (Mr. J. R. Yorke), at the conclusion of his speech, seemed to think that the Motion implied some censure on the Government. He did not look upon it as a censure on the Government. It was perfectly true that certain Members of the Government were members of the Governing Body of Wellington College; but, with one exception—that of the Secretary of State for War—they acted only in a private and unofficial sense. Indeed, the only connection that really existed between Her Majesty's Government and the Governing Body of the institution was to be found in the fact that the Vice President of the Council was *ex officio* a Charity Commissioner, and that Wellington College, as an endowed school, came within the cognizance of the Charity Commission. The only object, therefore, which the Government considered was to promote the education of that important establishment in regard to the officers in Her Majesty's Army. The education of the sons of officers of the Army was a matter in which the House ought to take great interest. A large proportion of the officers of the British Army being stationed abroad, their great concern was that while they were absent from England their sons should have a good and sufficient education. Suppose a Royal Commission—

> "To inquire into the origin, objects, and present administration of Wellington College; and to report to Her Majesty whether such administration is or is not in accordance with the conditions, or implied conditions, under which contributions were solicited and obtained from the army and the public when the College was founded; and, if not, to advise Her Majesty what alterations in the present system are required, and by what means they can best be effected."

What might be the result? The hon. Gentleman distinctly stated his own opinion that the Governors were wrong in not treating this school as a charity, expressly using the words "for both poor and ignorant." Was that an object which the wishes of the founder, if they could now be ascertained, would have contemplated? He understood that this College was established in order that a certain education should be given to a certain number of orphans, the sons of military officers; but the right hon. Gentleman (Mr. Gladstone) had made it conclusively clear that in proportion as they eliminated or diminished the civilian element they would reduce the income of the College. Indeed, if they altogether eliminated that element the College would be practically bankrupt. The right hon. Member for Greenwich spoke with some authority upon one point, because he was nearly connected with the Head Master of the College, and his statement confirmed previous reports that if the Commission was to report in favour of making this College nothing more than a charity school, one and all of the masters would resign. Therefore, if this Commission went in the only direction in which it was intended to go, one of the possible results was that the Governing Body, and the administrative officers, or the whole of the teaching staff of Wellington College might resign, and the Government or the House of Commons would have to establish *de novo* all the machinery necessary for carrying on the work of education there. That might possibly be the result of a Motion of this sort. It was said that a certain amount of dissatisfaction existed amongst the officers of the Army with respect to the present administration of the College. He could quite understand it. They knew that a certain sum was subscribed and invested for the foundation and maintenance of the College. They knew that admirable instruction was given there; but they found that the charge for boys not on the foundation was outside their means in many instances, and they asked that the cost should be reduced, so as to bring the advantages of the College within their reach. It was a question of finance. Could the cost be reduced without impairing the present efficiency of the institution? If that could be done, it seemed to him that, instead of appointing a Royal Commission, a more reasonable method of ascertaining what could really be effected would be for the officers to join with the Governors of the College and carry on a joint investigation as to whether or not that object could be attained. It had been admitted that the reason why the Governors had not promoted such an inquiry had been that Notice had been given of this Motion, the success of which would probably lead to the resignation of the Governors and to changes in the teaching staff. He knew that there was a feeling amongst many hon. Members that some inquiry was necessary, and the Government would be happy to facilitate an investigation of the nature which he had just indicated. The cost of education in Wellington College had not increased during the last 16 years. He did not think this could be said of any other similar institution in the country. The hon. Member, however, now proposed a Commission which would have no power to create, and which would simply upset the whole of the present existing arrangements without putting anything in their place. There was an increasing tendency on the part of the House of Commons to interfere in the administration of local and other legally constituted institutions, and this was to be regretted as involving transfer of responsibility to the House or the Government. Although, in the circumstances, some inquiry might be necessary in this case, the Government could not support such an inquiry as would leave to it, or to the House, the future administration of the College. They had no desire to burke any inquiry into the present administration of Wellington College—all they looked to see was that education should not deteriorate, and that a plan should not be adopted the result of which would be that the officers of the Army would be able to say that they asked for bread and were given a stone. He hoped that those who supported the Motion would see that the inquiry he had suggested was more desirable than one by a Commission.

Mr. J. R. YORKE said, the noble Lord who had just spoken had painted in alarming colours what he thought would happen if the Commission were granted. But he did not think there need be such apprehensions. He would remind the noble Lord that the Government had granted him a Commission in connection with the Stock Exchange, and that the committee of that Body did not resign in consequence, and that no great crisis had taken place in the Money Market as the result of the appointment of that Commission. He did not think his position had been in any way materially shaken by what had been said in the course of the discussion, and what he had said about the tendency of the Governors' policy had been substantially confirmed; therefore, he should leave the matter to the House.

Sir THOMAS ACLAND said, the threats about the resignation of the Governing Body and of the teachers must be taken for what they were worth; but, considering the high character of those who had filled those posts at Wellington College, he thought that that was not a way in which they would wish to be brought before that House. That it was not necessary to spend a sum of £110 a-year on a pupil in a first grade school provided with buildings was shown by detailed statements in the Report of the Schools Inquiry Commission, in which it was remarked that good schools had a tendency to become expensive almost in proportion to their goodness, and that this was illustrated by what was then going on at Marlborough, Haileybury, and Wellington College. The conclusion of the Commission was that as good an education as could be had ought to be given for £60 a-year. The officers of the Army complained that at Wellington College there was an expenditure of something like £2,000 a-year, of which they could get no real account. They complained of the general charges, and also of the charges for extras. He had seen bills for Brussels and Kidderminster carpets for newly-admitted boys, and these were matters which officers with limited means desired to have looked into, because it could not be necessary to renew the carpets for each fresh boy. There was a case for inquiry, and it would be better to promote it than to talk about Governors and teachers threatening to resign.

Question put.

The House *divided*:—Ayes 60; Noes 66: Majority 7.—(Div. List, No. 55.)

CO-OPERATIVE STORES.

Select Committee on Co-operative Stores to consist of Seventeen Members:—Sir MASSEY LOPES, Mr. OTWAY, Mr. RIDLEY, Mr. BLAKE, Sir GEORGE ELLIOT, Viscount MACDUFF, Mr. HARDCASTLE, Mr. MUNDELLA, Mr. RIPLEY, Mr. BAXTER, Earl of DALKEITH, Mr. MACDONALD, Mr. ISAAC, Mr. JAMES, Mr. FORSYTH, Mr. CALLAN, and Sir CHARLES RUSSELL:—Power to send for persons, papers, and records; Five to be the quorum.

ORDERS OF THE DAY.

HYPOTHEC ABOLITION (SCOTLAND) BILL—[Bill 3.]

(*Mr. Vans Agnew, Mr. Baillie Hamilton, Sir George Douglas, Colonel Alexander.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Vans Agnew.*)

Mr. BAILLIE COCHRANE hoped that the Motion would not be proceeded with, especially in the present thin state of the Benches on both sides of the House. There was a singular defection of Scotch Members—in fact, he was reminded by the state of the House of an anecdote told of a French preacher who had said that if he were to hold up his prayer-book and threaten to throw it at the head of a woman who had been disobedient to her husband, every head would be bowed. So, in the present case, he was sure that if he were to say he would throw the paper he held in his hand at the head of anyone who objected to the Bill before the House, every head would be bowed. He looked upon the measure as one which, if it did not savour of Communism, was at least an attack upon private property. If it were carried it would have the effect of upsetting all the existing arrangements as to land in Scotland. The measure would inflict great injury upon a most estimable class of Scotchmen—namely, the small farmers who by their industry had developed the agricultural interests of the country. The Bill was only supported by the large farmers, who thought that after the abolition of hypothec there would be less competition in regard to the land; but it would be a great blow to the agricultural interest generally. Hon. Members who whilst the Bill was on the Paper had kept away from the House, appeared to have come to an arrangement amongst each other that it should be counted out or got rid of in some way or other. [Mr. Vans Agnew: No, no.] He admitted that his hon. Friend was a most energetic Member, and gallantly stuck up for the Bill. The hon. Member stuck up for the measure more than any other Scotch Representative, and there was an earnestness about him which he did not find elsewhere. What, then, had become of all the others? Where was the phalanx of Scotch Members usually seen in the House when Scotch Bills were under discussion? They were conspicuous by their absence. If the hon. Member who had charge of the Bill was thoroughly sincere, he would not press the measure in the absence of the other Scotch Members. He (Mr. Baillie Cochrane) might, if he cared to do so, call attention to the state of the House, and point to the fact that there was not present a sufficient number to justify their proceeding with the measure; but he did not wish to move a count, but, at the same time, he trusted the Bill would not be pressed. The Bill, he contended, was nothing more nor less than an electoral move, and he, therefore, begged to move its rejection.

Mr. DALRYMPLE rose to make a single remark. They had again heard from the hon. Member for the Isle of Wight that this was an election move. He only desired to say, in answer to that statement, that this was exactly the same move which was made in 1874, when it could hardly be described as an election move. The Bill had been brought forward year after year by his hon. Friend in the most straightforward and whole-hearted manner, and the real explanation of the fact that the Bill had not made progress was to be found in the conduct of hon. Gentlemen opposite who had not been so good as to assist in keeping a House when the subject was coming on. When his hon. Friend (Mr. Baillie Cochrane) spoke of the state of the Benches on the present occasion, he might, at all events, have observed that they were pretty well studded with Representatives from Scotland. That was a proof that they were interested in this subject, which, he might remind his hon. Friend the Member for the Isle of Wight, referred entirely to Scotland. He (Mr. Dalrymple) only desired to protest against the repetition of the charge which had been made on a former occasion by the noble Lord the Member for Haddingtonshire (Lord Elcho) in a most unfounded manner. The charge was indeed a preposterous one, when it was recollected that the same Bill was brought forward at the beginning of the present Parliament, and only fell through from want of encouragement from those who formerly expressed such zeal for the abolition of the Law of Hypothec.

He hoped the House would consent to go into Committee on the Bill.

MR. M'LAREN said, he only rose to protest against the language which had been used by the hon. Member for the Isle of Wight. He had imputed to the Scotch Members, in plain language, dishonest conduct. He had said that while in that House they were supporting the Bill, they were in their hearts opposed to it. That was a sentiment he (Mr. M'Laren) begged to deny in the most emphatic language which the Rules of the House permitted, and he wished to say that the hon. Member had no ground whatever for holding or expressing that opinion, so far as he (Mr. M'Laren) was concerned.

MR. RAMSAY said, he might be allowed to express the hope that the hon. Member for the Isle of Wight would not persist in opposing the Motion for going into Committee. He had a conversation with the hon. Member in private, when he endeavoured to persuade him to withdraw his opposition to this measure, in order to enable it to pass speedily into law. On that occasion he (Mr. Ramsay) stated that he did not expect that the farmers of Scotland would derive from the measure the numerous advantages which they expected might accrue; but, at the same time, he did say that so many of the farmers having made up their minds in favour of this measure, he felt that the hon. Member, not being directly interested as a Scotch Representative, might very well withdraw his opposition, and leave the Scotch Members to decide the question for themselves. He thought his hon. Friend the Member for Edinburgh (Mr. M'Laren) was well entitled to object to have such motives imputed when really Members like himself, who represented borough constituencies, had no interest in this question, although their connection with the land otherwise might lead them to take as direct an interest in the Bill as the hon. Gentleman, who described it as approaching to Communism. He regretted that the hon. Member should apply such a term to a measure so ardently desired by agriculturists in Scotland. He hoped that no further opposition would be made to the Motion that the Speaker do now leave the Chair.

MR. ASSHETON CROSS trusted that enough had now been said, and that they should be allowed to proceed

to Business. He only wished to say that he differed as strongly as he could from the language of his hon. Friend (Mr. Baillie Cochrane) as to the character of the Bill; because, if he thought it supported Communism in any form or shape, he would be found absolutely opposed to it. But knowing, as he did, that the feeling throughout Scotland was in favour of the measure, he supported it, and hoped it would become law.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Landlord's hypothec to cease after 11th November 1880).

MR. J. W. BARCLAY moved, in page 1, line 7, after the word "land," to insert "including the rent of any building thereon." It seemed to him that some ambiguity might arise in the interpretation of the Act if the clause were allowed to stand in its present shape; because it occurred to him that if a house and over two acres of land were let, it might be contended on the part of the landlord that the rent of the land was intended to be separate from the rent of the house. If the learned Lord Advocate said that doubt was not likely to arise on this point, he would not press his Amendment.

THE LORD ADVOCATE (Mr. WATSON) intimated that he did not think there would be any doubt in the matter.

Amendment *agreed to.*

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. J. W. BARCLAY moved, in page 1, line 8, to leave out from "Provided" to end of Clause. The hon. Gentleman stated that the object of the Amendment was to bring hypothec to an end at the beginning of November of next year. Great difficulties would arise if the Law of Hypothec ceased to exist on a certain number of farms while it existed on other farms for years to come. If the learned Lord Advocate would agree to a compromise and say that hypothec would come to an end absolutely at a certain stated period, he should not press for the omission of the Proviso.

He wished to point out that, apart altogether from hypothec, the landlord had a very great advantage in dealing with a tenant's creditors; because, according to the present system, he had control over the straw and manure upon the farm, the removal of which was prohibited. Then, in a good many leases, there had been inserted by the landlords or their agents a proviso that if the Law of Hypothec were abolished the tenant should pay the rent six months sooner. Therefore, while in many leases, the landlords had taken precautions for securing themselves if hypothec were abolished, in many others it would be altogether unnecessary, because there was as much manure and straw left as would secure the landlord against loss.

MR. MARK STEWART could not suppose for one moment that the proposition which the hon. Member for Forfarshire had made to the Committee would be acceded to, because he could not help thinking that a great deal of support had been given to this Bill on the condition that it should not apply to existing contracts. There was no doubt that the abolition of the Law of Hypothec would make a great change in the relations that existed at present between landlord and tenant; and, no doubt, tenants, who were now allowed considerable latitude in paying their rents, would in future lose that latitude. He thought it would be most unwise and injurious to accept the Amendment.

MR. RAMSAY hoped that the hon. Member for Forfarshire would consent to withdraw his Amendment. The Bill, when it became law, was not likely to be very popular with all the people of Scotland; and he thought it would be a pity to mar it by a proposal which, as far as he knew, had never previously been made—for what was proposed was to set aside the terms of an existing lease or contract.

GENERAL SIR GEORGE BALFOUR thought that, without the Amendment of the hon. Member for Forfarshire, the clause would take away from the farmers of Scotland the benefit which they thought they would obtain by the abolition of hypothec.

MR. VANS AGNEW hoped that the Amendment would not be pressed. To preserve rights under existing contracts seemed to be absolutely necessary when taking away a certain right which formerly existed, and hypothec in those cases must be allowed to expire in the course of time. He thought it was a necessary safeguard to allow existing leases to run out under the same conditions as those under which they were entered on.

MR. M'LAREN also expressed a hope that his hon. Friend would not think it necessary to divide the Committee on his proposal, especially after the statement which had been made, that many hon. Members had voted for the second reading of the Bill on the understanding that existing leases should not be interfered with. If such an Amendment as that proposed was agreed to, he was afraid it would cause the loss of the Bill either here or in "another place" on a future day. Half-a-loaf was better than no bread, and therefore he trusted the Amendment would not be pressed.

THE LORD ADVOCATE (Mr. WATSON): The feeling of the Committee seems to me to be against interference with existing contracts beyond a certain extent. That was even indicated by the hon. Member for Forfarshire, who rather suggested that if a compromise were offered he would be ready to accept it. I do not see that any compromise can be made on this question except it be a compromise in point of time; and I doubt the propriety of fixing a limit of five or 10 years from the passing of the Act, because, in that case, a great many tenants under leases of short currency would derive no advantage whatever from the provisions of the Bill, and those who had long leases would get a benefit beyond others which they were not in the least entitled to.

MR. M'LAGAN hoped the hon. Gentleman would withdraw his Amendment. If they abolished the law as applied to existing leases, the landlord would have no security whatever, and all other creditors would have a preferable security for 18 months. He was aware it was quite the custom to enter into contracts in which it was stated that if the Law of Hypothec were abolished the tenant would be called upon to pay his rent six months or a year sooner, proving clearly that in the matter of contracts the parties felt that the abolition of the Law of Hypothec would alter their relations. It would be unjust to alter that law as regarded existing leases.

Mr. CLARE READ was sure that many Members on the Conservative side of the House voted for the second reading of the Bill on the express understanding that existing contracts should be exempted from the operation of the Act. He hoped his hon. Friend would not persist with his Amendment, because it would be most unfair to landlords, and he also thought it would be most unsatisfactory to many tenants, and it would be unjust to abolish hypothec if they did not give landlords some better means of recovering arrears of rent.

Mr. J. W. BARCLAY said, he did not understand what the hon. Member for the Falkirk Burghs (Mr. Ramsay) meant when he said this was a proposal to overrule existing contracts. He did not propose to interfere with the lease or its conditions—but to abolish an unjust law There never was a proposal in that House for a change of law in which there was not some interference with individual interests. When the Corn Laws were abolished, the farmers got no compensation. He was not aware of any case of long credit on rents. It had been explained over and over again in that House that the tenant in Scotland always paid his landlord within three months after the time when the landlord would have got the money from the farm if he had had it in his own hands. He would ask leave to withdraw the Amendment, as he did not wish to take up the time of the House unnecessarily; but, in order to test the opinion of the House on this subject, he would propose to add to the clause words that would abolish hypothec absolutely within 10 years from the year 1880.

Amendment, by leave, *withdrawn.*

Mr. MARK STEWART (for Sir Windham Anstruther) moved, in page 1, line 9, after "rent due," to insert "or becoming due." The principle of this Amendment had already been conceded.

The LORD ADVOCATE (Mr. Watson) did not oppose the Amendment, but suggested that if the hon. Member desired to remove all ambiguity, the words he proposed to insert should be "or which may hereafter become due."

Amendment, so amended, *agreed to.*

Mr. M'Lagan

Mr. J. W. BARCLAY moved to add to the end of the clause the words "within ten years," the effect of which would be that the right of hypothec would absolutely expire in all cases at the end of 10 years from November, 1880. One great advantage of the abolition of hypothec at some definite time would be to improve agricultural credit. The abolition of the law in respect to future leases would place farmers on more equal terms with their landlords. But so long as the Law of Hypothec existed, the credit of the agriculturist would not be in the least improved by this measure; and it would be in the interest of the landlords, as well as of the tenants, that the law should come to an end at some definite period. He thought 10 years was a long period; but as the Bill stood, hypothec would not come to an end for about 20 years. He hoped the Committee would look upon the Amendment as a reasonable proposal, and accept it.

Mr. VANS AGNEW said, he was afraid he could not accept the proposition. He could not see the justice, if existing contracts having less than 10 years to expire were to be protected by the Bill, why those over that period should be excluded. There would be, no doubt, many leases which would have expired before then, but still there would be some going on, and he could not see the justice of applying the new law to the long lease and not to the short one.

Mr. RAMSAY said, he did not suppose his hon. Friend was really in earnest in proposing these Amendments. Certainly, as far as his (Mr. Ramsay's) knowledge extended, the farmers themselves did not desire to have any such law or regulation. The contracts existing between landlord and tenant were very formal and precise, and the Law of Hypothec was applicable in every case. The House was anxious now to see that law done away with. He had himself wanted to make some Amendments in the Bill; but he had refrained from proposing them because he did not wish to delay the passing of the measure. One of the proposals he had desired to introduce was that urban as well as rural hypothec should be abolished, although he knew that some hon. Members did not agree that the principle was the same in both cases. He had not pressed that point, however, because he felt that if he had succeeded in introducing it into the Bill it might have had the effect of preventing the Bill from becoming law at an early date. Therefore, as he was anxious that a question of this kind should be settled without delay, he had been willing to forego all his Amendments in order to get through with the Bill. He hoped, therefore, the hon. Gentleman would relieve the Committee from any trouble in dividing; because at the end of 10 years it would be just as much interference with existing contracts as it would at the end of two or three years.

Mr. R. W. DUFF hoped the Amendment would be withdrawn, as well from expediency as on the question of principle. He could not see that there was any justice in the proposal. Assuming that a landlord had let his farm, and the agreement was recognized by the law as it stood at the date of the agreement, he did not think there were any circumstances which justified the State coming in and saying that what it had recognized should not be legal tenure. He felt satisfied that the House would not pass an Amendment of this character. If it did, the Bill would certainly be in danger "elsewhere." He thought, with the hon. Member for the Falkirk Burghs (Mr. Ramsay), that urban hypothec was in the same category as rural hypothec, but was also desirous not to risk delay by intruding that question. He hoped the Committee would not be detained any longer with a proposal which would interfere with existing contracts.

Mr. J. W. BARCLAY wished to point out to the hon. Members who had just spoken that the Law of Hypothec was no part of the contract between landlords and tenants.. Hypothec was the law of the land, and the position hon. Members took up was that the law of the land could not be altered unless compensation was given to all those who were affected, even in a remote degree, by the change of law. Upon that principle it would be almost impossible ever to make any improvement in legislation.

Mr. ANDERSON did not care much about the Amendment the hon. Member was now moving, because he did not see any clear principle in it. He thought there was a definite and clear principle in the one he withdrew—that principle being that the Bill should immediately abolish hypothec and thereby improve the credit of the tenants. It clearly would not improve the credit of the tenants now for about 20 years, for it would be impossible for traders to know which leases were under this law and which under the old. The actual operation of the Bill would thus be practically postponed for about 20 years. Had the hon. Member divided on that Amendment he would have supported him, as he thought such postponed operation would be injurious. However, as the hon. Member, perhaps exercising a wise judgment, had not divided on his previous Amendment, he thought he would make a great mistake if he went to a Division on the present one.

Sir DAVID WEDDERBURN, while thinking that this Bill did not go far enough, believed that it went in the right direction; but considering the perils it had yet to undergo here and "elsewhere," they ought to be careful not to put more weight on it than was absolutely necessary. He therefore trusted the Amendment would not be pressed.

General Sir GEORGE BALFOUR said, that as, in the opinion of friends, they had got as far as they could, he did not see the wisdom of persevering with this Amendment, seeing that it would be rejected by a large majority on division.

The LORD ADVOCATE (Mr. Watson) said, hon. Members appeared to be tolerably unanimous on this point—namely, that if they admitted the principle of not interfering with existing contracts, they must treat consistently all these contracts. At the same time, it was a matter for consideration whether the terms of the Bill were meant to include unreasonably long contracts. He doubted whether the framer of the measure had in view contracts for the lease of land of a longer duration than 19 years, and he confessed that he had agreed to the terms of this clause very much in that view. He should be very sorry that portions of unexpired leases longer than the ordinary agricultural lease of 19 years should carry along with them a right to use the Law of Hypothec. He thought that a lease of 50 or 100 years ought to be deprived of that incident within a reasonable time, and he merely indicated that because he was quite prepared to concur with any hon. Member in framing a clause upon the Report which should give effect to that view. While he thought an unexpired lease not exceeding 19 years ought to be considered, and the implied contract given effect to, he should be sorry to give advantage to leases practically in perpetuity.

SIR ALEXANDER GORDON said, that representing a large agricultural constituency in Scotland, he was quite sure that the remarks which had just been made by the learned Lord Advocate would meet with the approval and support of a great majority of the farmers in Scotland, for a lease of 19 years was the basis of their contracts.

MR. VANS AGNEW said, that in framing the clause he certainly had not in view a lease of longer duration than 19 years.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 2 (Landlord's remedy when six months rent is due and unpaid).

On Motion of The LORD ADVOCATE (Mr. Watson), the following Amendments were made in the Clause:—

Page 1, line 14, after "shall" insert "subject to the provisions of the preceding section of this Act."

Page 1, line 14, leave out "remedy," and insert "rights and remedies."

Page 1, line 16, at end of Clause, add—

"And shall also have the same rights and remedies against his tenant when twelve months rent is due and unpaid as is now provided by the Law of Scotland when two years rent is due and unpaid, but subject always to the provision following (that is to say): It shall not be lawful for the sheriff in any proceedings under the Act of Sederunt of the fourteenth day of December, one thousand seven hundred and fifty-six, to decern the tenant to find caution for any sum exceeding the arrears of rent due and the rent for two crops following, or during the currency of the lease if the lease is of shorter endurance than two years."

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. J. W. BARCLAY proposed to leave out the whole of Clause 2 as amended. He said he objected to this clause for the same reason which hon. Members had so strenuously urged against him in the previous case. It would be an interference with existing contracts. The landlord had very drastic, extreme, and arbitrary powers against the tenant in arrear, and under this clause he would have the power of putting them in force whenever six months, rent was due and unpaid. If the rent were even a day past due, the landlord would have the power to call the tenant before the Sheriff, and unless he found caution for the rent past due, and for two crops to come, the landlord might claim his ejectment. Now, supposing the landlord took his remedy in the month of June, would the learned Lord Advocate explain to the House whose would be the property of the crops in the ground sown by the tenant, and what recourse the tenants' creditors would have against the landlord for the value of these crops? There was an implied contract on the part of the creditors in this matter which should be respected as much as the implied contract under the Law of Hypothec was in the last discussion. If the tenant failed to pay on the very day his rent was due, he might be summoned on the following day before the Sheriff to find caution. It was not every tenant who had a friend he could call in to suppport him, and hon. Members surely could not understand the power they were putting into the hands of unscrupulous landlords by this clause.

THE LORD ADVOCATE (Mr. WATSON) said, the observations of the hon. Member for Forfarshire had recalled to him a defect in the Amendment which he had not been aware of. It was not his intention that in regard to current leases any fresh or new remedies should be given to landlords. The new remedy must apply only when the abolition of hypothec applied, and he would at the proper time move to add a provision to that effect.

MR. J. W. BARCLAY hoped the learned Lord Advocate would explain the law more fully. If this clause became part of the Bill, any tenant whose rent was one day past due would be liable to all the pains and penalties which the law provided, and he had already specified.

THE LORD ADVOCATE (Mr. WATSON) said, he thought it right—and that appeared to him to be the feeling of the House on the second reading of the Bill—that if hypothec was abolished the landlord should have some means of recovering his property if the rent was not paid. The law at present in regard to a landlord having the right of hypothec was that if one year's rent was unpaid, upon the very next day he might apply to the Judge Ordinary, and if the fact were proved to the satisfaction of the Judge that the rent was unpaid, the Judge had no alternative but to require the tenant to find security for the payment, not only of the arrears, but for five years' future rent. That was a very serious, and it appeared to him to be a hard thing for the tenant. And unless that was done within the period limited in the Judge's order, a further order for the expulsion of the tenant was at once granted. In the case of a tenant being two years in arrear the landlord had a right to apply for an order of ejectment, and the tenant had no appeal, but must go out the moment the order was granted. The difficulties raised by the hon. Member for Forfarshire were of the same character as those existing or which might arise under the present law. There was a legal term of rent and a conventional term. The legal term for a pasture farm was one thing, and the legal term for an arable farm was another, and the conventional term, that was what was agreed upon by the parties themselves, was different from both. By the existing law it was not necessary that the arrears should be for one particular half-year in order to entitle the landlord to take proceedings for ejecting the tenant. It was simply required that the sum in arrear should amount to half-a-year's rent, or should amount to two full years' rent, and might have been running with interest for eight or ten years. By this clause they would be making no change whatever in the established law, excepting a change in favour of the landlord to this effect—that having taken away his preferable claim over crop and stock they gave him a more summary means of recovery, and at the same time laid a less heavy weight on the tenant; because there were many men who would be able to find the security demanded by this Bill, but who, under the existing law, would be turned out of house and home owing to the obligation to pay a year's rent and find security for five more.

GENERAL SIR GEORGE BALFOUR, admitting that no tenant ought to be allowed to run into arrears for two years, yet thought that he might be in arrears for six months without being at all blameful. Therefore, the increased difficulties caused to tenants by making them pay rents in so peremptory a manner as were raised under this clause would be highly objectionable to the tenants of Scotland. He was in hopes that the passing of this Bill would bring about better relations between landlord and tenant than had hitherto prevailed, and to this end he trusted the learned Lord Advocate would alter the clause, so as to leave to landlords and tenants the power of fixing the dates on which rents due for terms expired might be paid, and thus draw a clear distinction between "due" and "payment."

MR. VANS AGNEW said, the hon. Member who had just spoken, and the hon. Member for Forfarshire, seemed to keep out of view the fact that by the 1st clause of the Bill they took away the landlord's power of sequestration. This clause would enable him to enter upon his land as soon as the tenant failed—that was to say, that when the tenant could not pay, the landlord might enter upon his land. He had proposed in the Bill merely to shorten by six months the period at which a law which had long existed should come into operation. In this respect he had thought that if any change was to be made it should come from the learned Lord Advocate. He believed five years was much too long a period for which security should be found. All he desired was that the landlord should have the power to recover possession of his land in lieu of the power of sequestration which he had before.

MR. RAMSAY understood the object of the Amendment of the learned Lord Advocate was to place the relations between landlord and tenant on the same footing as the relations between the tenant and his seedsman or manure merchant, or anyone who supplied him with any commodity. It would be obvious that if the tenant could remain in possession of the land for six months after the rent had become due, and if the landlord had no security or certainty of receiving payment of either rent or arrears, then the landlord would by no means be in the same commercial position as the tradesman who supplied the farmer with seed or manure. The moment the tenant had given his order for any commodity whatsoever and he failed to pay, the merchant had power to stop the supply whenever he ceased to pay;

but here hon. Gentlemen seemed to consider that the tenant should continue in possession of the land after he had ceased to pay the rent, and that the tenant, having become bankrupt, should take the fruit of the soil and apply it to the payment of a dividend to his other creditors. It was quite obvious that that was not placing the relations of landlord and tenant in the same commercial position as the tenant occupied with the creditor from whom he bought any particular goods; and unless something of the kind proposed in this clause were done, the effect of the repeal of hypothec would be to place the landlord in a position different from that of all other creditors. The tenant might cease to pay his rent for 12 months, and the landlord would have no means of getting possession of the land or of obtaining redress in any other way. He could not think the farmers or any other class would ask to have the law amended to enable them to use the goods of one man while under no obligation to pay him for that use. If there was anything objectionable in the law as applied to existing leases, he understood that the hon. Gentleman (Mr. J. W. Barclay) was going to propose that no lease for a longer term than 19 years should be brought under the Bill. [MR. J. W. BARCLAY: Unprincipled.] He had thought the hon. Member approved of that suggestion. The hon. Gentleman said "unprincipled;" but he could not see anything unprincipled in saying that no lease of longer duration than 19 years should be affected by this law.

MR. J. W. BARCLAY said, he did not think hon. Members understood what was proposed to be done by this clause. He was rather disappointed that the right hon. Gentleman the Home Secretary was not in his place, because he wished to appeal to him in this matter. He was exceedingly surprised to find the hon. Member's (Mr. Ramsay's) intellect was so clouded by the landlords' interest, that he found him saying that the landlords would be in a worse position than the manure merchant. The manure merchant supplied the farmer with manure; but if the farmer did not pay him, did the manure merchant get back his manure? The landlord would get back his land in three months or six months, and could lose only the interest. The manure merchant who sold manure was usually paid in six months. The farmer gave him a six months' bill and he had three days' grace; but under this clause of the Bill, if a farmer did not pay his half-year's rent on the day it was due, the next day he could be summoned before the Sheriff, and made to give security for what was due and for two years more. That seemed to him the most extreme legislation that had in recent times been passed in that House. It was far more extreme than the barbarous edict passed by the Court of Session 100 years ago. A tenant must pay upon the very day, and if he did not pay the landlord could call upon him to give security, and if he did not, could eject him summarily out of the farm. He did not believe the hon. Member for Wigtownshire (Mr. Vans Agnew) perceived the effect of this clause when he proposed that it should be inserted in the Bill. He should have thought that he would have given the farmer six days' grace or 10 days' grace. The landlord did not risk his capital, he only risked his interest, and very few manure merchants would think much of giving a tenant six months' time to pay without receiving anything for it. He hoped the learned Lord Advocate would agree to amend the clause.

THE LORD ADVOCATE (Mr. WATSON) observed, that although the landlord had a right to his remedy within a day of the rent being unpaid, yet it was always a matter of consideration with the landlord as to what sort of tenant he was dealing with. He could hardly suppose that there existed such extreme cases as those supposed by the hon. Member for Forfarshire (Mr. J. W. Barclay). There would be nothing done without the intervention of a Judge, who was empowered to deal with the case according to circumstances. If a tenant was unable to pay, it was for the Judge, after giving him the opportunity of stating why he was not paying his rent, to determine whether the tenant's statements were entitled to credit, and no Judge would refuse to give to a tenant who was a man of substance the chance to make good his profession that he meant to pay his rent. There was no Judge who would not give him time to satisfy the law. Speaking of the want of three days' grace, he would rather be under the hardest pressure the hardest landlord could put on than under a Bill giving three days' grace.

MR. CLARE READ said, if it be true that the landlord, when his six months' rent was due, without giving any notice, and without demanding the rent in any way, could bring his action against the tenant, it did seem to be an arbitrary clause, and one that demanded consideration. He should say it would be very seldom done; but it was quite within the bounds of possibility that some unreasonable landlord, having a grudge against his tenant, might put it into operation. He was of opinion that the landlord should be required to demand the rent before any of these proceedings could be taken.

MR. J. W. BARCLAY would be far from attempting to dispute the law with the learned Lord Advocate; but the Act of Sederunt provided distinctly that—

> "Where a tenant shall run in arrear one year's rent," [which was now going to be six months not in arrear, but due,] "it shall be lawful for the landlord to bring his action against the tenant before the Judge Ordinary, who is hereby empowered and required to decern and ordain the tenant to find caution."

The Sheriff, as he understood it, had no option or discretion.

Question put.

The Committee *divided:*—Ayes 49; Noes 34: Majority 15.—(Div. List, No. 56.)

Clause, as amended, *agreed to.*

THE LORD ADVOCATE (Mr. WATSON) proposed to move a new clause, by which he desired to limit the effect of the 2nd clause entirely to those cases where the landlords' hypothec had been abolished, and, accordingly, he would move a clause to the effect—

> "That the provisions of the second section of this Act shall not apply in any case in which the landlords' right of hypothec has not ceased or determined."

Clause *agreed to,* and *added* to the Bill.

Bill *reported;* as amended, to be considered upon *Friday.*

RELIEF OF INSANE POOR BILL.

(*Mr. Rodwell, Sir Baldwin Leighton, Mr. Bristowe.*)

[BILL 27.] SECOND READING.

Order for Second Reading read.

MR. RODWELL, in moving that the Bill be now read a second time, briefly stated the object of the measure and the mode in which it was sought to effect it. At the present moment, the demand for the accommodation of pauper lunatics throughout England had become a great burden upon local taxation. He could state, from Returns which he had seen, that there were only six counties in England which were not under peremptory orders to provide increased accommodation, in some form or another, for pauper lunatics, and under the present system an appalling amount of money would be required. As the law stood at present, the Commissioners in Lunacy were bound to treat anyone whose mind was affected in any way—all harmless, crazy, imbecile, curable, or incurable persons — as lunatics, and the consequence was that their lunatic asylums were crowded with chronic, harmless, and imbecile patients who did not require those expensive establishments, or that scientific attendance and treatment which was provided in them, and who might be taken care of at a much smaller expense. There were many vacant workhouses and other public buildings in the country which were now useless, and the object of his Bill was to enable a special Board to take from the lunatic asylums and the union workhouses those patients who were imbecile or incurable, and who were harmless, and put them in what he would call infirmaries, which might be hired or purchased by the county authorities. There were two reasons why the Bill must find favour with the public. The first was that it would lessen the local taxation, which was very much increased by the expense of lunatic asylums; and the second consisted in the fact that curable patients were likely to recover with greater rapidity if separated from the incurable. The County Boards Bill contained provisions which would operate in much the same way as the Relief of Insane Poor Bill; but as the former Bill appeared to give rise to a good deal of opposition, he had determined to proceed with his own measure. He proposed that each county should provide establishments for paupers who were pronounced to be imbecile or incurable, and, at the same time, harmless. He also proposed that the Governing Body of these establishments, which might be purchased or hired, should be the Visiting Justices for the time being, together with the Chairmen of all the Boards of

Guardians within the county. Following the lines of the Lunatic Act, his Bill made the county provide for the establishment and fitting up of the necessary buildings, and the parishes responsible for the maintenance, clothing, and medical attendance of the inmates. The infirmaries, he thought, should be controlled and supervised by the Local Government Board, and not by the Commissioners in Lunacy. He believed it would be a great advantage to the Commissioners if they were relieved from this class of lunatics, and, in fact, this Bill would be a boon to the ratepayers and to the imbeciles and lunatics themselves.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Rodwell.*)

Mr. SALT said, that everyone must have felt that his hon. and learned Friend had made out a good case for some action in this matter. It was a very important measure, and it was also one of great difficulty; but he would not object to the second reading, though he doubted whether the lines upon which it was drawn would work well. His hon. and learned Friend had been brief, and he would promise to be brief in his reply. At present there were two systems providing for the insane and imbecile poor. On the one hand, there were the Justices in Quarter Sessions, with their committees, managing the large county asylums subject to the Lunacy Acts. The Lunacy Acts were designed to provide care for the insane; and they contained many special provisions to prevent the risk of dealing with any person of sound mind as insane. But there were also the Poor Law Acts, under which imbecile paupers might be kept in the workhouses of the county. The lunatic asylums were directly under the control of the Commissioners in Lunacy; but the imbecile wards of the workhouses were under the Local Government Board, subject to occasional inspection by some person from the Lunacy Commission. The hon. and learned Member for Cambridgeshire had mixed up these two schemes. This might or might not be a good thing; but he was not prepared to pronounce upon it without serious consideration and careful inquiry. On this point his hon. and learned Friend would be wise to adopt the proposal which stood in the name of the hon. Member for Mid-Somerset (Mr. Paget) and refer the Bill to a Select Committee. About the details of the Bill he had still more doubt than about its general principles. Many of its provisions were of a novel and remarkable nature. Some of the clauses contained powers that he believed to be quite unprecedented; but to these at this stage of the Bill he could only very imperfectly allude. He felt a tenderness towards the Bill because its principle was good, and because it was the Bill of his hon. and learned Friend. He would, therefore, not oppose the second reading; but, at the same time, he strongly urged his hon. and learned Friend to refer the measure to a Select Committee, with power to the Committee to inquire into the whole subject of the custody of the insane poor.

Mr. WHITWELL thought the proposal to erect new institutions and establish new Boards was a very large one. He entirely sympathized with the object of the hon. and learned Member and the poor imbeciles, whose interests and comfort were of great moment; but the subject was a wide one, not only as to the object, but as to the mode of treatment and kind of institution, and that, therefore, the subject should, in the interest of the ratepayers, be carefully considered before a Committee.

Mr. MARK STEWART said, the system advocated by the hon. and learned Member who introduced this Bill had been very beneficial in Scotland. The great point to be considered in extending this system was whether they could do so without requiring large staffs in cases where there were comparatively only a few persons requiring restraint?

Dr. CAMERON was afraid that in this Bill economy had been more studied than the comfort and well-being of the unfortunate imbeciles concerned. In Metropolitan asylums where such separation was practised, and where the best treatment was adopted, very excellent results were produced upon the inmates, many of whom reached a condition vastly more human than when they entered, and were enabled to enjoy in their own way some of the pleasures of life; but to talk of putting incurable imbeciles into some miserable workhouse ward, and maintain them at, say, 4*s.* 6*d.* per week, was a thing that ought not to be aimed at. He was sure such a thing was not intended by the hon. and learned Member who proposed this measure.

MR. RODWELL said, he would accept the proposal to send the Bill before a Select Committee. The importance of the subject could not be exaggerated in any point of view.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

LICENSING ACT (1872) AMENDMENT BILL—[BILL 108.]

(*Mr. Rodwell, Mr. Serjeant Simon, Mr. Arthur Mills, Mr. Leatham, Mr. Mark Stewart.*)

SECOND READING.

Order for Second Reading read.

MR. RODWELL, in moving that the Bill be now read a second time, said, he might explain in a few words that this little measure was simply an extremely small development of the Amendments which he and his hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon) had submitted to the House on the Resolution of his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson). It spoke for itself, and, therefore, he need not weary the House with any explanation. It simply rendered it incumbent on the Justices before they granted a new licence that they should be satisfied that the licence was necessary on public grounds, in the words of the clause of the Bill, that the application for such licence was supported by a requisition sufficient to satisfy the licensing authority, and that it was sustained by evidence taken on oath that such licence was necessary to supply a present want. At present there were only two matters about which the Justices were bound to concern themselves—namely, the respectability of the tenant and the capacity of the house. These two matters were prominently brought forward, but frequently nothing further. He did not say the Justices did not sufficiently inquire into the facts brought before them; yet he thought the Bill would carry out the principle, at any rate, of a qualified local option to such an extent as to be a safeguard against the multiplication of unnecessary public-houses. The subject had been already so fully discussed that he would not go into it further than to say that those who agreed with the hon. and learned Member for Leeds (Mr. Wheelhouse) seemed to be satisfied with the Bill, as well as many of the advocates of a Permissive Bill. Indeed, he believed that there was no serious opposition to it, and that it met with universal favour. He should be glad if the Secretary of State for the Home Department would say one word as to the views of the Government; and with that remark he would ask the House to read the Bill a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Rodwell.*)

MR. ASSHETON CROSS said, he hoped the House would consent to read the Bill a second time. He was quite sure the action taken by the magistrates throughout the country of late years was very much in the direction in which the House wished to move; but he did not think they had received that appreciation to which they were entitled for their conduct in this matter. What was laid down in this Bill had been for some time past the practice of the magistrates; and if anyone looked at the record of the licences which they had lately granted he would be struck at the small number of them. This Bill, then, proceeded upon the right lines. The great objection which he entertained to the proposal of the hon. Baronet the Member for Carlisle and similar projects was that they made the granting of licences the subject of a popular vote which ought to be a matter of judicial decision. Judges so elected would be elected either to refuse or to grant licences just to suit the wishes of their constituents; but under this Bill the magistrates would act judicially, and judge for themselves whether a licence was required or not, and the Bill would bind them to take notice of certain things before they decided whether a licence was or was not wanted. In reading this Bill they would strengthen the hands of those magistrates who had hitherto acted up to their duty, while they would, at the same time, compel the others to do what they ought all along to have done. He was rejoiced to find the Bill introduced, and hoped it would be carried.

Mr. Serjeant SIMON said, it had been said that there was no necessity for this Bill, inasmuch as the magistrates did all the Bill required them to do. That was to some extent true; but what the magistrates did, they did without the authority of the law, and their inquiries were consequently irregular and uncertain. This Bill, by imposing a legal obligation upon them, would make the inquiry, he hoped, effective; for it would be what it was not now—a formal solemn judicial inquiry; and there could be no reason to suspect what was called jobbery in the granting and refusing of licences. When magistrates were found deciding such questions in the teeth of the evidence before them, there got abroad the idea that they were actuated by improper influences. He believed that the effect of the Bill would be, in the course of time, without injury to any interest, to bring the number of licensed houses within reasonable limits, and more in accord with actual public requirements.

Mr. WHEELHOUSE said, he did not wish that it should be for a moment supposed that the magistrates had not done the work committed to their charge with that amount of care and supervision which was required of them. They had done so in such a way as entitled them to the commendation of the public. He knew that for the last 20 years the Yorkshire magistrates required to have three things proved to them before they granted a licence—First of all, the character of the applicant; secondly, the suitability of the house; but beyond everything, that a public-house was required in the neighbourhood. He believed that that had been done in other parts of England; and where it was not done, there could be no objection to make the tribunal more strict in requiring proof for the necessity of the licence.

Mr. MARK STEWART said, he had, as a Scotch Member, placed his name on the back of the Bill, feeling that it would be of great advantage to Scotland, an idea which had been confirmed by inquiry. If the Bill went into Committee he should move an Amendment extending it to Scotland, and, if necessary, he should bring in a separate Bill for the purpose. In Ireland, whenever a new road was proposed to be made, the magistrates had six persons summoned to advise them as to the need for it. If such a course should be adopted in reference to a road, it was reasonable that it should be done in reference to a licence. He hoped the Home Secretary would use his influence to have the Bill extended to Scotland.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) BILL—[Bill 93.]

(*Mr. Wheelhouse, Sir Andrew Lusk, Mr. Scott, Mr. Isaac, Mr. Benjamin Williams.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Wheelhouse.*)

Mr. DILLWYN expressed his intention of moving Amendments in Committee, instead of opposing the Bill at the present stage.

Mr. MONK asked for information as to the amount of the burden which the Bill would throw upon the counties. He would not press his opposition to the present Motion, if the hon. and learned Member (Mr. Wheelhouse), who had charge of the Bill, would consent to go into Committee that evening *pro formâ.*

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 2nd April, 1879.

MINUTES.]—Public Bills—*Ordered*—Public Health (Scotland) Provisional Order (Castle Douglas) *.

Second Reading—Municipal Corporations (Property Qualification Abolition) [9], *put off;* Valuation of Lands (Scotland) Amendment * [16]; Joint Stock Banks (Auditing of Accounts) (Scotland) [58], *debate adjourned;* Public Health (Scotland) Act (1867) Amendment * [107].

ORDERS OF THE DAY.

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MUNICIPAL CORPORATIONS (PROPERTY QUALIFICATION ABOLITION) BILL—[Bill 9.]

(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Sullivan.*)

SECOND READING.

Order for Second Reading read.

Mr. MUNDELLA, in moving that the Bill be now read a second time, said: I wish to say that in the Session of 1877 I submitted a Bill to this House with the same object as the one now before it, but limited entirely to Municipal Corporations and Local Boards in England and Wales. Before that Bill came on for second reading, the largest and most influential deputation of representative working men I ever saw went to the Chancellor of the Exchequer to impress upon him that the Government should support the Bill. Immediately after I had concluded my statement in favour of the Bill, the President of the Local Government Board rose in his place, and pointed out to me that I had omitted from the provisions of the Bill all reference to certain Local Boards which were constituted under the Towns Improvement Acts, and known as the Commissioners for improvements of towns, and the right hon. Gentleman suggested that unless these were dealt with they would be placed in an exceptional and an anomalous position. I undertook in Committee to introduce a clause which was suggested by the right hon. Gentleman himself, which should remedy that defect, and this was really the only objection the right hon. Gentleman took to my measure, except when he said he wished that time should be afforded to the country to express an opinion upon the Bill. He said that if I would postpone the Committee to some long date after Easter—the Bill was brought in in February—the Government would assent to the measure being read a second time. I agreed to do so. The Bill was read a second time and was postponed for Committee for two months. Now, Sir, in the progress of the Bill through the House, my hon. and learned Friend the Member for Limerick (Mr. Butt), whom we all regret not to see in his place to-day, wished that it should be extended to Ireland. I also agreed to meet that desire, and the hon. and learned Member put an Amendment on the Paper to extend the operation of the Bill to Ireland. I now wish to invite the attention of the House to the fate of that Bill. After it received the assent of the Government to the second reading, and had been deferred for two months for an expression of opinion throughout the country, about 120 Petitions, most of them of the most important character, were presented to the House in its favour, and there were only three Petitions against it. Nearly all the large Municipal Corporations in the country, through their Representatives in this House, presented Petitions. I see that my hon. and learned Friend the Member for Leeds (Mr. Wheelhouse) is about to oppose the Bill to-day. I may remind him that six Petitions were presented in favour of the Bill from various public bodies in the town which he represents. One was from the Trades Council and one from the Mayor, aldermen, and burgesses of Leeds, under their common seal, and presented by himself. The Bill went through every stage but the last and that of Report. On the Report a private Member, sitting on the other side of the House, took the opportunity of putting on the Paper that little *a*, indicating opposition, which is so fatal to Bills in the hands of private Members; and although I appealed often and often to the Government for five minutes of their valuable time before half-past 12 in the evening, they were unable to comply with my request, and it ended in the natural result of the failure of my Bill. Last year I was not successful in the ballot, and my Bill was set down low on the list for a second reading on a Wednesday. In consequence, it was talked out, and no other opportunity presented itself of taking up the adjourned debate and the Bill dropped. Now I do hope, notwithstanding the opposition of my hon. and learned Friend the Member for Leeds, that the Government will give the present Bill a little more of their assistance than the cold shoulder they gave me in 1877, and that they may have the credit of abolishing the last of the property qualifications as they abolished the most important one, the Parliamentary qualification, in 1858. The Bill which is now under the consideration of the House is a more complete measure than any I have hitherto introduced. I accepted the suggestion of the President of the Local Government Board to include Towns' Commissioners and other district Commissioners who had been omitted before. I have now included in the Bill Improvement Commissioners, the Select Vestries acting under the Metropolitan Acts, and the various Boards of Guardians throughout the country. I believe the Bill now extends to all local Governing Bodies; that it deals with all property tests or qualifications throughout the country; and that it places England and Ireland precisely on an equality with Scotland. I found during the last Session of Parliament a good deal of pressure made to induce me to include Boards of Guardians together with other Local Boards, and I will presently refer to the reasons which have induced me to include them within the scope of the Bill. I think I shall have no difficulty in showing the House that the abolition of the property qualification of members of Boards of Guardians is as necessary in that case as in all others, and unaccompanied by the slightest degree of danger to the ratepayers. I propose to ask the House, in connection with the consideration of this Bill, to consider the manner in which these qualifications have to be introduced into the municipal and Parliamentary system, to inquire what good purposes they have served, and what advantages or disadvantages would result from their being swept away. All the writers upon Constitutional history are in accord that our municipal institutions are the surest basis of our Constitutional freedom. It is by this aid that the people of this country have been trained to self-government and familiarized with the working of representative institutions. Through them they have learned self-government, and to accustom themselves to respect the will of the majority. In the able and valuable work by Sir Erskine May upon our Constitutional history, this question is so eloquently dealt with that I will venture to trouble the House with a short extract. Sir Erskine May says—

> "That Englishmen have been qualified for the enjoyment of political freedom is mainly due to those ancient local institutions by which they have been trained to self-government. The affairs of the people have been administered not in Parliament only, but in the Vestry, the Town Council, the Board Meeting, and the Court of Quarter Sessions. England, among the nations of the earth, has maintained for centuries a Constitutional policy, and her liberties may be ascribed, above all things, to her free, local institutions. Since the days of their Saxon ancestors, her sons have learned at their own gates the duties and the responsibilities of citizens. Associating for the common good, they have become exercised in public affairs. Thousands of small communities have enjoyed the privileges of self-government, taxing themselves, through their representatives, for local objects, meeting for discussions and business, and animated by local rivalries and ambitions."

I think the House will assent to the statement laid down in that paragraph. To what other than municipal institutions can we attribute the remarkable success with which the Italians have maintained their Parliamentary system, and the easy transition which has been observed there from a system of despotism to a system of Parliamentary government. And we must all know that Ireland at this moment is suffering from the destruction of her municipal institutions, by the influence of England and by her own local Parliament. Not only is Ireland suffering, and will suffer for some time to come, but England is suffering with her, the Nemesis of her own injustice in having destroyed the local institutions of Ireland, which Pitt mainly forced her to give up. We know how the popular rights were gradually encroached upon by the Tudors after the 15th century. Originally the only qualification for an elector, or for a candidate for the representation of the people in this country, was that he should be a ratepayer and a taxpayer resident in the locality. Sir Erskine May says—

> "All the settled inhabitants and traders of corporate towns who contributed to the local taxes had a voice in the management of their own municipal affairs."

It was not until later that we had representative institutions. It was not until the wealthy and influential classes gradually encroached upon the privileges of the inferior tradesmen, and assumed all municipal authority, that that qualification was swept away. Then came corruption of our municipalities, and with that came the corruption of this House. The one followed as the natural consequence of the other. The hon. and learned Gentleman opposite (Mr. Wheelhouse) may dissent from that; but if he does, I would refer him to the same high authority I have referred to, and he will find that the municipalities were the most influential in returning Members to this House. Very often they returned the Members themselves, and under the Lord High Steward and the large landowners of the district supplied the Members for the boroughs and the localities. As the result of this corruption came the corruption of the House, and then the attempt was made to put the whole of the representation of this House in the hands of the landed classes of this country. For 150 years a property qualification, consisting solely of property in land, was maintained in the country for the Representatives of this House. Two or three times during the reign of William of Orange, it was attempted to enact a law which should make the possession of land the only qualification for a seat in Parliament, and once it actually passed both Houses, and was only prevented from becoming law by the King himself refusing to give his assent to it. The attempt was renewed in the reign of Queen Anne, and it was ultimately enacted that a seat for a county should only be held by the possessor of land of the value of £600 a-year, and a seat for a borough by the possessor of land of the value of £300 a-year. That was a clear infraction of the Constitution of the country. Several attempts were made to exclude Members from the House at that day; but they were almost in every instance unsuccessful. The law was subsequently somewhat relaxed; but it was not until 1838 that it was provided that personal property might be substituted for landed property. And when the abolition of the property qualification became one of the six points of the people's Charter, it was discussed over and over again in this House, and some hon. Members declared that the continuance of that property qualification was of vital importance to the maintenance of the British Constitution. Almost without exception, when the question was debated in the House, it was maintained, as I have just said, that the Constitution would be endangered by the abolition of the property qualification for Members of Parliament. What does the high authority I have quoted say with respect to that enactment?

> "In its original old form it had been invidious and unjust, and from its beginning to its end it had been systematically evaded."

Ultimately, after a great deal of agitation in 1858, a Conservative Government found itself in power, while it was in itself in a minority, and it conceded that point of the Charter—the property qualification. Mr. Walpole was then Home Secretary. ["Order!"] I meant the right hon. Member for the University of Cambridge, and the property qualification was abolished by the then Conservative Government with the consent of the House. There were still, however, some hon. Members who prophesied that the step thus taken would be the ruin of the Constitution. But it is, nevertheless, the fact that Sheridan, Somers, Burke, Pitt, and many others, hosts of the younger sons of the aristocracy, were returned to the House of Commons who were never possessed of the requisite qualification. Yet they used to take their seats upon these Benches without possessing £300 or £150 a-year, and there are Members at this moment who entered the House with a landed qualification who never possessed an acre of land. Notwithstanding that fact, they had to take the oath at that Table that they were possessed of a landed qualification, and had to produce a form showing where their property was. They were qualified by such men as Mr. Grote and some other old Members who have recently passed away. I know myself that there are Members in this House now who had to make that declaration, and I would ask hon. Members what good purpose was ever served by such a law as that? There were hon. Members, some, perhaps, now around me, who, supposing that law were still in existence, would be required to make a declaration at the Table, and to take an oath that they were duly qualified for seats in this House by the possession of land, when they knew that the document they presented was only a colourable and fictitious document; they owned nothing of the sort, and that that which they made use of in order to qualify themselves belonged to somebody else. The only effect such a proceeding was calculated to produce was to weaken in the minds of such persons, and in this House, all respect for the law, to weaken the respect for both, and to weaken regard for the solemnity of an oath. That was the inevitable result of the existence of a law which was broken in the open day and in the face of everybody. I think the Conservative Government of 1858 did wisely in abolishing that qualification, and I believe there is no hon. Member of this House who would like to see it re-enacted. But I would ask —Is not the same thing going on throughout the country in connection with every Municipal Corporation and Local Board at this moment? And is it right that it should continue to go on? What influence must it have upon the members of Corporations, in weakening the regard for truth and their respect for the solemnity of an oath? Now, Sir, the authors of the Municipal Corporations Act of 1835 were strongly opposed to the introduction of the property qualification. The fact is that as the Bill passed through this House it was not included in it. Indeed, such a qualification was never thought of. The Bill went to the Upper House, and there Lord Lyndhurst and Lord Devon, after contriving a variety of qualifications, fixed upon the one which stands in the Act now. When the Bill came back to this House, Lord John Russell denounced it as being opposed to the spirit of the Constitution, as being invidious and unjust, as maintaining a piece of class legislation, and as narrowing the scope of the electors in the selection of their Representatives. But the qualification was, nevertheless, introduced into the Municipal Corporations Act, and since the passing of that Act the evil has gone on extending. Let me point out what the qualifications which now exist are. In the case of Town Councillors in boroughs of four or more wards, the qualification is the possession of £1,000, or being rated at not less than £30 a-year; in other boroughs, the possession of £500, or being rated at £15 a-year. For Local Boards, where the population is under 20,000, £15 rating or £500 in property; and where the population is above 20,000, £30 rating or £1,000 in property. For Boards of Guardians, from £15 to £40 rating. In the case of the Local Boards, the qualification is fixed by the Local Government Board, in the most arbitrary and capricious manner possible. It depends, to a great extent, upon the mere whim of the Inspector, who goes down to conduct an inquiry, and upon no principle and no system whatever. So the qualification fixed for Improvement Commissioners is variable according to the special terms of the Act constituting such districts. For Vestries and Boards in the Metropolis, it is £40 rating or rental. For Burial Boards, Highway Boards, Lighting Inspectors, and Overseers, it is merely that they should be ratepayers. For School Boards there is no qualification whatever, and over the whole of Scotland there is also no qualification whatever. Yet, if there is one portion of the country which has always been remarkable for its good local government, it is Scotland. In this country, we have a number of Boards without qualification, others with only a ratepayers' qualification, and others with a money qualification. Now, I should like to know upon what principle you can exact a qualification for members of Boards of Guardians or Town Councils when you exact none for members of School Boards. Of all the local government bodies called into existence during the present century, there can be no doubt that the School Boards have done their work better probably than any other, or, at any rate, quite as well; and in intelligence, in social status, and in administrative capacity, the School Boards are equal to any local bodies in existence; yet the members of School Boards require no qualification whatever—not even that they shall be ratepayers or residents in the locality. Now, I have shown how the introduction of the property qualification in the Municipal Corporations Act got gradually extended to other local bodies. What has been the effect of it? If it is effectual at all, it simply limits the area of qualification for candidates. Its moral effect is what I have already described, and I can give illustrations of the way in which it has operated. I have known members of Town Councils in the large constituencies threatened with having to take oath that they possessed the necessary property qualification, and that they were worth £1,000. In the case of a rating qualification, if they did not possess one, it could easily be proved; but it is difficult to prove the fact in the case of a money qualification. I have known of a person going in with £1,000 in bank notes in his pocket, and returning them as he came out of the door. I repeat that I have known instances of this; and I ask if it is desirable that such a state of things should be allowed to continue? Is it consistent either with honesty or morality that such should be the case? What is the result? Many members — working - class members — for sitting and voting upon a Municipal Corporation, have been threatened with the infliction of the penalty of £50 for every time they have sat and voted—that is the penalty under the Act. Every time a man sits and votes, if he is not qualified, he subjects himself to a fine of £50, and instances have been brought to my knowledge of persons who have been threatened because they have sat and voted. But, although this has been the case, perhaps the qualification is one which, after all, no one would venture to put to the test, or venture to disprove. It is notorious that men known to be impecunious have taken the oath. The hon. and learned Member for Leeds must know, for it is as certain as it is possible to know anything, that among the members of the Corporation of his own borough there have been men who were not worth £1,000. There is scarcely a town in England where there is not some man whose impecuniosity is sufficiently well known—who can hardly pay his way to-day, but who can become a member of a Corporation to-morrow, provided he is hardy enough to take the oath. The law does not exclude that class of men, but it does exclude the conscientious man who is worth only £900. A man may say—"I should be happy to sit in the Corporation; I have time to spare, and I have ambition to serve the public, but I am not quite worth £1,000." Or —"I may be in the receipt of a small independent income, and yet not be rated to the amount of £30." I can refer to one case within my own knowledge—the chairman of a School Board at this moment, a most valuable public servant, a man of great public spirit, of excellent judgment and intelligence, who discharges his duty on the School Board in the most admirable manner. Yet this man is not able to sit in the Town Council, because he cannot and will not swear that he is worth £1,000. It is said that if the smaller men were elected, they would squander the money of the larger ratepayers. ["Hear, hear!"] The hon. Gentleman opposite cheers that statement; but I would ask him how is it they do not do it in Scotland? I will engage that my hon. Friend has at least 12 votes in an election of Guardians to one vote possessed by a man rated at £10 a-year, and therefore, as my hon. Friend will see, his interests are well protected. But more than that. Do you think that owners of property, who are represented so strongly on Boards of Guardians—who are, in fact, all powerful—do you think they will elect men who will squander the rates that are levied upon their property? Do you think the men elected will be more wasteful in England than in Scotland? Why should this be a special disqualification against Englishmen? When the Scotchmen became admitted to this Parliament by the Act of Union, that was the one thing they stuck out for. They would not have the property qualification—they said—"We are too poor to have a qualification of £600 a-year put upon us," and Scotchmen have kept out of it ever since, and have never had a property qualification. Then why should Englishmen and Irishmen be placed on a different footing? There is another strong argument connected with the Board of Guardians. Every magistrate of the district is an *ex-officio* member, and is there to take care of the property of the ratepayers; therefore, there can be no excuse why you should exclude other men from taking part in the administration of the Poor Law. Surely a farmer who is rated at £40 a-year whilst in the occupation of his farm may be a poor man, and yet he is eligible to be a Guardian. But if a farmer or a tradesman retires from business and lives in a house rated at £20 a-year, although he may be a comparatively rich man, and may have leisure to attend to the duties, he cannot serve on the Board of Guardians, because there is no alternative qualification of possession of property. It must be an actual rating qualification. I know of several places near Leeds where new districts have sprung up containing 20,000 inhabitants, and they tell me there are hardly enough men rated at the minimum qualification to do the service of the Board of Guardians, and the whole of the rest of the inhabitants are excluded. Then take the Town Council. What is the effect of the rating qualification on them? Why, it excludes at least 80 per cent of the ratepayers of some of our towns, certainly of my town, and probably of my hon. and learned Friend's (Mr. Wheelhouse's). I think we may take it that 80 per cent or eight out of every ten of the people of Sheffield and Leeds are ineligible at present for membership of the Town Council, for the simple reason that they are not rated sufficiently high, although they may all have ample income and plenty of leisure. I know of another illustration, where a borough had three wards, and they brought in a fourth ward, and the gentleman who had been foremost in adding that ward found his own qualification insufficient. He lived in a house which was rated at £28 instead of £30, and although he would have been a most useful member, he was unable to sit in the Town Council. I say it is time we brought this state of things to an end, and I trust the House will do it. Take the case of a man who has declared himself worth £1,000 at the time of his election, and who, during his three years of office, has lost £100. That man is practically disqualified for re-election; but really is he less fit because he has lost £100 to attend to the duties of a Town Councillor? The thing is simply absurd and ridiculous, and the only effect of such a law is to maintain immorality and dishonesty. I do not believe that if this Bill is passed it will much change the constitution of these local Governing Bodies, or that it will very largely affect working men. There are not many working men who can give time to serve as Town Councillors, although there are some who now do it admirably, and there is the more reason why they should take part in these proceedings for the future, because you have recently passed several Acts of Parliament that especially affect them, such as the Factory and Education Acts. You are about to pass a Bill for establishing County Boards, in the election of which the Guardians will be factors; and are you to confine their election within that very narrow area, or are the ratepayers to be free to elect their own representatives? Otherwise, what will become of your Boards, if you have not some better system of electing the men? Having said that this Bill will not, I think, effect a very important change in the constitution of the local bodies in general, I wish to urge that it would abolish a gross injustice. Every man ought to be liable to be eligible for the service of his country, and you can do no man a better service, who has time and ability, than to give him the opportunity of serving his country. Moreover, this Bill would allow the conscientious men upon whom the choice of the ratepayers has fallen to take their seats. I do not know what the Government are going to do on this occasion; but, in the last Session, I consulted the Chancellor of the Exchequer at every stage of my Bill, and he was good enough to say that I might proceed with his approval, and it was stopped usually by the opposition of private Members. I have said that a Conservative Government had the credit of having abolished the property qualification for Members of Parliament. There are now hon. Members sitting around me who do not claim to have large property qualifications; and if you still had a property qualification, as a condition of Membership, I, for one, should have no seat in this House, and the Representatives of working men would have no seat if the qualification of income were as high as it was formerly. I know how the working men have tried to get their own representatives into Municipal Corporations. When Barnsley was incorporated, Mr. John Normansell was the chosen representative of the miners in the south-west district of Yorkshire; and what did they do? He had not £1,000, nor was he rated at £30 a-year. The miners themselves subscribed £1,000 and put it into the bank to his credit, in order that he might sit in the Town Council. Why should it be obligatory upon people who wish to elect an officer of any local Governing Body, that they should find him a colourable qualification, for it was a colourable qualification after all? Some of the greatest, wisest, and most eminent men who ever came into this House came into it in that way. Sheridan, Burke, and many who are now sitting in this House came into it with qualifications which were given them by eminent Radicals, and if it was not degrading for them to do so, it was not degrading for the representative of the miners. I think it was much to the credit of the miners that when Mr. Normansell died they transferred the £1,000 to his widow. But that account of transfer showed whose property it was, and it went from the Miners' Association to the widow of the man who so well had represented them. Now, I would ask the House why should we not make a clean sweep of all these obsolete and anomalous enactments? Why should you not agree to the second reading of this Bill? And why should we not have it passed through Parliament, and let it become free to every Englishman who has capacity, culture, and leisure to serve his country, if he be elected, to do so? I should like to add that the present Bill does not attempt to remove any of the existing disqualifications, but only to enact that every man who is resident in the district, and who is capable of being an elector, is capable also of being elected; and whether the Bill receives the assent of the House today or not, I am quite sure the day is not far distant when it will receive the assent of the House and of the country.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

MR. WHEELHOUSE, in moving that the Bill be read a second time that day six months, said, he thought it only right and just to say that the Bill had been most temperately introduced by the hon. Member for Sheffield (Mr. Mundella). However, this was not a question of method, but of principle. In the first place, he begged to assure the hon. Gentleman that he most emphatically repudiated the statement which the hon. Member made just now — namely, that from his position as Representative for the borough, he (Mr. Wheelhouse) must be aware that some members of the Leeds Town Council were utterly impecunious. He might have his own view with reference to the Town Council of Leeds as a body—he might have his own view with reference to municipalities generally, as they were constituted at this moment; but he was bound to say, little as he liked them in their corporate capacity, he did not think at this moment, and he was sure he did not know, that any single member of the Corporation of the borough he had the honour to represent came under the definition which the hon. Member had applied to them.

MR. MUNDELLA explained that he did not say the members of the Leeds Town Council were utterly impecunious. He said there were members of all Municipal Corporations who were totally impecunious, and he alluded to Leeds amongst the others.

MR. WHEELHOUSE said, the remark the hon. Member made was that they were utterly impecunious, and he fixed upon Leeds—upon that of which he could know nothing. He attempted to pledge his (Mr. Wheelhouse's) own knowledge upon a subject of which he was himself as utterly ignorant as it was possible for a man to be upon anything. He (Mr. Wheelhouse) believed there were some Corporations of which it had been said—he knew there were boroughs in the North of England of which it was just within the range of possibility that such a statement might be correct—but with regard to Leeds, he thought it absolutely necessary that he, as a Representative of the town, should offer his most emphatic contradiction and vindication. Passing from that, it had been said that a Conservative Government abolished the property qualification for Members of Parliament. True it was that that was the act of a Conservative Government, and it was true also that it was opposed by those who differed from the Conservative Government in their political opinions and aspirations. It was the result of Conservative legislation, and it was undertaken because, as had been truly stated by the hon. Member for Sheffield (Mr. Mundella), old Liberals like Mr. Grote and another nearer Sheffield, who had been named, made what were practically faggot qualifications for this House. He thought that, under such circumstances, it was about time that somebody dealt with such very "Liberal" representation as that, and it was in consequence of notorious matters of that kind that property qualification was done away with. The Conservatives had nothing whatever to do with the Liberal manufacture of votes such as those. But they were told that because they had dealt with the property qualification in the one case, they ought also to abolish it in the other; and it was alleged that in Scotland no qualification was required for local offices. He believed that statement was much too wide, and that in Scotland a ratepaying qualification, at any rate in some instances, was necessary. He would endeavour to point out the reason why he thought this Bill should be opposed. No one was better able than the hon. Member for Sheffield to astutely hide under words of some significance that which was really the true objection to this measure. The hon. Member spoke all the way through as if this were only a question affecting an individual whom he idealized as "the poor ratepayer;" but under cover of the poor ratepayer there was doubtless a feeling that it was not his interests which would suffer by anything that was done in this House. It was because the Bill would affect the status of the larger ratepayer and the status of him who had some property at stake, and because he believed in what used to be a so-called Liberal notion, that representation and taxation should go together, that he (Mr. Wheelhouse) objected to this Bill. He objected to these new-fangled notions of the Radical Proletariat, which was always endeavouring to upturn any landmark which property had laid down. He granted that they ought to look after the interests of the poor ratepayers, but they ought also to look after the interests of other ratepayers. He had his own notions with reference to the late Mr. Normansell, who had been referred to by the hon. Member; but, he said, if Mr. Normansell or anybody else was such a good man for public work, let him be qualified by all means, but let them not remove the landmarks of the country, and let them not alter the state of society merely to admit one man, or half-a-dozen men, when, according to the theory of the hon. Member for Sheffield, there was still one way, undesirable though it might be, by which they might be qualified. Reverting to the repeal of the property qualification for Members of Parliament, he would point out that there was a crying evil in those times when a gentleman required no other qualification to be an M.P. than to be the eldest son of a Peer or a Knight of the Shire, it was expedient on both sides of the House to get rid of such a distinction, founded upon the mere accident of birth. There was also the feeling that Members of Parliament represented the Imperial interests of the country, and it did not matter a straw where they lived or what their position was; but the position and duties of a Member of Parliament differed very widely from the position of a member of a local Governing Body, and in the latter the hon. Member for Sheffield was obliged to admit that some sort of property qualification was required. [Mr. MUNDELLA: I stated so.] Yes; but although the statement was made, it was practically covered up, and the hon. Member by his Bill virtually said—"Let us get rid of any sort of qualification for representatives." [Mr. MUNDELLA: Oh, no; the hon. and learned Member has not read the Bill.] He had read the Bill, and read it very carefully, and knew it said that a man, if he was an elector, should be able to sit. But a man might be qualified to elect, and yet not have a single halfpenny piece of interest either in the borough, or the district, or the neighbourhood. The hon. Member for Sheffield was very ready to quote the case of Leeds. He would give him an instance which would show, by way of illustration, exactly what took place in that town. Within half-an-hour's journey of Leeds was Harrogate, to which a great many of their electors went, where they lived and had their actual households. A man might, under this Bill, for ought he saw to the contrary, be qualified as a ratepayer in some way or other at that moment. If this were only, as the hon. Member said, the first step to sweeping away all these qualifications, such a man, although he might live at Harrogate, might come over to Leeds, be a member of the School Board, the Municipality, or the Board of Guardians, and not have a particle of interest in the borough. He said that was not fair to ratepayers. He said that if a man had any right whatever to represent a local constituency in its local Parliament, if he had any right whatever to deal with that constituency in any way as such representative, he ought, in some way or other, to have sufficient pecuniary or other interest in the borough, so that there might be some guarantee that the borough and its concerns would not be handed over to a Proletariat of strangers by a majority, it might be of one single "stranger" vote to do as it pleased. He knew very well that they had about as great an anomaly in the North of England as they could get in a day's walk. Anyone who knew the Town Council to which the hon. Member referred would know that it prided itself upon the fact that for 35 years it had never had a Tory Alderman or a Tory Mayor in its constitution, and it was known that the men who had been Aldermen of that

Town Council had more than once had the opportunity of swamping the will and wish of the ratepaying element of the town. Was that a desirable state of things? Anyone who knew nineteen-twentieths of the municipalities in the North of England knew that the elections were always made upon political grounds, though not so much in the election of the Town Council as in that of the Aldermen. He thought it was not at all likely that they were going to allow such a state of things to survive one moment longer than necessary, let alone making the difficulty still greater and still worse. The hon. Member had told them that because there was this qualification in the Municipal Corporations Bill, Lord John Russell was very nearly throwing it up. He (Mr. Wheelhouse) only wished Lord John Russell had done so. It would have been the greatest benefit and the greatest boon to this country, if he had seen his way to throw up that Bill at that time. It had had exactly the same effect as this Bill sought to produce to a larger extent than ever—of swamping a very large majority of the people in their representation. But, to his astonishment, they had been told that they had the very convincing example of the School Boards, and that there was no qualification for a member of a School Board. A candidate for a School Board could go on—he could be elected—nothing was asked of him in reference to his means or anything else; but he was perfectly eligible whenever and wherever he pleased. That School Board system was consequently doing its work precisely as anyone would have expected. It spoke for itself just now. Look at the way in which the London School Board had taxed the Metropolitans, head over heels. [*A laugh.*] Oh, yes, this was a question of what was desirable. The hon. Member for Sheffield might laugh as much as he pleased; but at the present moment he thought the hon. Member could not have quoted a worse example than the London School Board in particular, and if he looked to the School Boards in their own district in the North of England, it was simply because there was nothing between the School Boards and the public that almost every School Board had pledged the rates of its constituency to an extent, he ventured to think, had there been any opportunity of auditing or stopping it, would never have been allowed. So much for the way in which the School Boards were doing the work, and had been doing it. They had built palaces; they had sought to teach the pianoforte, Latin, and Greek, under the Elementary Education Act, which, he thought, would certainly never have been passed, if they had been told that it was intended to build palaces, not for the children of poor persons, but to provide a better education for people in a high class of life, who ought to be able to find education for their offspring just as they ought to find them bread. There was the example which was so beautiful, and which they were to follow if they pleased. But when it was said that a Board of Guardians ought to be elected without reference to property qualification, he desired to point out that it would be likely to get into the very same difficulty as the School Boards. One of the objections to the municipalities of the country was that the qualification was not sufficient—that it might be sometimes one which it was not desirable to inquire into—that it was not always sufficient to guarantee the Town Council or the members of it, who were elected by popular representation, from being more or less liable to influences which ought not to apply to them. They were told that the Bill of 1877 only applied to Municipal Corporations. He knew perfectly well that it did apply only to Municipal Corporations. He wanted to know why, if it were then thought to be good for Municipal Corporations at that time, the hon. Member did not then include Local Government Boards, Boards of Guardians, and all other such Bodies as were then elected, as they were elected now. Was it an answer to them as statesmen to tell them that he began with a half measure, and that they were to accept as statesmen or *quasi*-statesmen the change which had come over his mind? They were told that there was no fear of any reckless expenditure. He had always found, and always felt, that it was best that representation and taxation should go together, for the very purpose of guarding against that possible evil. If they wanted to change the Municipal Corporations Act, let the Government undertake the responsibility of dealing with that change. If they wanted any change in the Board of Guardians, let the Government undertake it, but do not let them work things of this magnitude by piecemeal. Do not let them go about the country to say thenceforth there shall be no qualification, nor anything else, except that a man shall put himself before the constituency; that was an attempt to upset the very lines of the Constitution. It did not follow that there was in anything which the Tudors might have done in this particular matter any breaking up of the lines of the Constitution whatever. It seemed to him that from the very earliest inception of representative government in this country, long, long ago—in the very days when burghers were first made such, when boroughs were first constituted, when there was first municipal government there had always been local qualification for urban affairs; he asked any one of the hon. Gentlemen in that House to go back not to the Tudor time, not to their times only, but even to those of the Plantagenets—to any time they pleased—to the time of the Jewish Theocracy downwards, and they would find that there was always some interest, always some qualification, always something of a sufficiently personal character which was conjoined with the local one. To talk of the Tudors in that way was almost like a libel upon them, or at least it should not be brought forward in that form. They must look at matters not from what they would wish, not from what men would desire, not from what men would think most popular, but they should regard them from that point of view on which he took it all Government ought to be founded, and upon which they ought to grow. This Bill, or any other which actually had for its object to disjoin the representative element from the community of the represented district, sought to do an act which, under no circumstances, ought the House to listen to; and he was quite sure that it ought never to be permitted that they as guardians not merely of popular interests, but as guardians of the interests of the country at large, as guardians not merely of the individual requirements, if they pleased, of those who would follow them to-morrow, but the permanent well-being of the nation must be considered. Then, looking carefully and closely into this Bill, there could, he thought, be no two opinions on the subject—namely, that it would be most unwise, most unjust, most unreasonable, to endeavour to swamp the larger ratepayers and the value of property, by enabling a man who, whatever his station in life might be, still might have no interest whatever in keeping down the rates and taxes of the place of which he claimed to be a representative. Under such circumstances, he therefore begged to move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Wheelhouse.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. CHAMBERLAIN said, he could not help thinking that the hon. and learned Gentleman who last addressed the House (Mr. Wheelhouse) was a little inconsistent with the character in which he usually appeared, and in which they knew and appreciated him best. They had been accustomed to regard him as a great Constitutional defender of the liberty of the subject; but here was a little Bill which proposed to remove one of the restrictions in the way of that liberty, and to widen the choice which was at present restricted by the law, by arrangements which took away from the voter with one hand a valuable portion of the privileges which the Legislature had given him with the other; and this measure in the direction of Constitutional liberty they found the hon. and learned Member for Leeds (Mr. Wheelhouse) strongly opposing. He thought that the hon. and learned Member was only in favour of the liberty of the subject in one respect. He was anxious to secure to the subject liberty to drink as much as he pleased, and in some cases to drink a good deal more than was good for him. The chief objection which he should take to the animated historical sketch of the hon. and learned Gentleman was, that a great portion of it was entirely foreign to the Bill which was at present under the consideration of the House. The hon. and learned Member declaimed with very great energy against the conduct of the London School Board, with which the Bill had nothing whatever to do. This was not the time for discussing the policy or for defending the action of that great educational institution; but he (Mr. Chamberlain) confessed, when he recalled that it had had to provide accommodation for something like 250,000 children, and that it was now bringing up those children to be useful and profitable members of the community, he could not help thinking that the way in which it had done its work, which would in the long run relieve the rates to an astonishing extent, had shown that it was a most profitable investment. Again, the hon. and learned Gentleman went on to protest against the Bill, because it would remove all qualifications for our local government. But this Bill did not propose to do anything of the kind; it merely said that the qualification for the Governing Body should be the same as for the elector. What, at the present time, was the qualification for an elector of one of these bodies? It was necessary that he should be of the full age; it was necessary that he should have been in occupation for 12 months previously of premises within the district for which he sought to exercise the franchise; that he should have been resident for 12 months within the same district, or seven miles of it; and that he should not only be rated to the poor, but that he should have paid his rates. The hon. and learned Gentleman the Member for Leeds spoke of taxation and representation going together being a Liberal principle. There was certainly nothing in the present Bill which in any way affected that principle, for it was proposed that those who should be qualified to be elected should be persons who had been rated and who had paid rates. In addition to that, the elector was required at the present time not to be an alien, or to have been in receipt of poor relief; and he found that the Bill of the hon. Member for Sheffield (Mr. Mundella) went further than that, because, in subsection 5 of the operative clause, it stated that if a person qualified under this section ceased for six months to reside in the borough or district in which he was elected to his office, he should cease to be qualified, and his office become vacant. Therefore, the portion of the observations of the hon. and learned Member for Leeds (Mr. Wheelhouse), which were directed against the qualifications of persons who were not rated, or who were not resident, fell to the ground as being in no sense pertinent to the objects of the present Bill. At the commencement of his speech the hon. and learned Gentleman appeared to resent an allegation of impecuniosity against Members of his Town Council. If the hon. Member for Sheffield (Mr. Mundella) had charged the Town Council of Leeds with some actual crime, the hon. and learned Member for Leeds could not have more indignantly attempted to answer such an imputation. This was very characteristic of the hon. and learned Member, and of his opposition to the Bill. The hon. and learned Member seemed to imagine that crime and want of means were one and the same thing. That was not at all the feeling with which this Bill had been offered to the House. They felt that impecuniosity was in no sense a crime. In many cases it was an accident; at all events, it was an incidence to probably nine-tenths of our population; and they did not think it was fair in consequence of such an incidence that nine-tenths of the population should be prevented from taking any share in the local government, or in the government of their country. He could not quite tell from the speech of the hon. and learned Member whether he thought the property qualification for this House was one of the Constitutional landmarks which it had been the work of the Radical Party to remove, or whether he desired that the work which was actually performed by a Conservative Government should now be undone, and that we should go back to a state of things which might have excluded from seats in Parliament such men as Burke, Pitt, Sheridan, and other ornaments of this House. In any case, the hon. and learned Member sought to make a distinction between the Parliamentary and the local franchise. On what grounds was the property qualification for this House removed? In the first place, it was felt to be desirable that the electors should have the widest possible opportunity of choice of men to represent them; and, in the second place, the property qualification was removed, because it was felt that the personal interest which every man took in legislation which affected his life and property was a better guarantee for his exercising his privileges properly than any artificial qualification. But it was said that Parliamentary legislation differed from local legislation, in that the former affected individual liberty and security of life, whereas the latter was always exclusively a question of property; and, further, it was said that the class of persons whom this Bill would render eligible for seats on local Governing Bodies were persons who had no interest whatever in the expenditure of the rates. Both of these statements could be conclusively shown to be incorrect. He ventured to say that, in the first place, local legislation at the present time touched more closely the individual liberty of the subject, his comfort, health, happiness, social and domestic life, than even the legislation of this House. People seemed to forget that at the present time all the local authorities were, to a most important extent, legislative authorities as well. There was not a Town Council or a Local Board which had not the privilege of making bye-laws, and which had not made bye-laws affecting the whole life, and also affecting the personal liberty of the people residing within their jurisdiction. It was well known that the police were under the control of the Town Councils, and he ventured to say that a very large proportion of those offences which were now summarily decided upon by the magistrates were offences created by the bye-laws, in the making of which the hon. and learned Member for Leeds (Mr. Wheelhouse) would allow the working classes or the poorer ratepayers to have no part whatever. The hon. and learned Member was equally mistaken in supposing that the poorer class of the ratepayers were not interested in the expenditure of the rates. He believed, on the contrary, that our local taxation pressed more heavily upon them than upon anyone else; for it must be borne in mind that there was a most important distinction to be made between Parliamentary and municipal electors, for whereas the taxation of Parliament was to a large extent indirect, the taxation imposed by the local bodies was wholly direct, and was, therefore, immediately appreciable by the persons upon whom it pressed. And considering that in the case of the poorer class of ratepayers that which was taken for taxation would otherwise go towards securing the necessaries of existence, it followed that the taxation would be felt much more keenly by them than by the rich class of the ratepayers, whose superfluities, to a certain extent, would only be diminished. But the hon. and learned Member for Leeds did not go far enough in his opposition. He had argued against giving the poorer class of ratepayers votes at the present time. In all our boroughs, in all our electoral bodies, the practical power was in the hands of the poorer class of ratepayers, who formed nine-tenths of the electoral body. Their views, the House might be certain, would be expressed; but the objection was that they were not allowed to select the particular channel through which those views should be expressed. That was undesirable in more ways than one. Discussion upon all points in which the people were interested would go on outside the Council or local authority, if it did not go on within. Whether was it better that matters of great importance affecting the interests of a large portion of the community should be discussed outside the Council in heat, and probably in ignorance of a great number of important facts, or that the same discussion should take place amongst chosen representatives, and that in this way the people should learn to bring their grievances to the test of Constitutional expression? Although he did not agree with the late Mr. John Stuart Mill on all points, he heartily concurred with one passage in his work on local government, and he felt bound to bring it before the attention of the House. Mr. Mill, in reference to all property qualification for Governing Bodies, said—

> "The object should be to bring together the best members of both classes—(that was, the poorer and richer classes)—under such a tenure as shall induce them to lay aside their class preferences, and pursue jointly the path traced by the common interest, instead of allowing the class feelings of the many to have full swing in the constituencies, subject to the impediment of having to act through the persons imbued with the class feelings of the few."

What was really the object of the present Bill? The hon. Member for Sheffield (Mr. Mundella), by whom the Bill had been introduced, did not pretend to say that if it were passed it would make any great difference. It never could be possible for large numbers of the working classes or the poorer classes to take part in the government of the country. They could not afford the time to do so, or the loss of wages which would necessarily ensue. But the supporters of the Bill argued that it was desirable to remove what appeared, at the first sight, to be an invidious distinction; and that it was desirable to remove an unjust anomaly—for nothing could be more strikingly anomalous than that men should take part in the Imperial legislation of the country, and that the same men should be actually disqualified from dealing with the question of the drainage of towns or the making of bye-laws. Although, as he had said, the practical operation of the Bill would, in any case, be small, the principle which it was sought to establish was of the greatest importance. They believed that the importance of local government was this—that not only by its means were people well governed, and governed according to their wishes, but also that people were educated to have an intelligent interest in public affairs. They considered it of the utmost importance to carry through all classes, from the highest to the lowest, an intelligent interest in the working of government, and that it was, therefore, impolitic and invidious to throw any artificial obstacles in the way of any class who might desire, through some of its members, to take their fair share in the work. The Division upon the Bill, he ventured to say, would be a test of the opinion of hon. Members of the House as to the principles upon which the country was to be governed; and he confessed he was glad to think that all opposition to a Bill which would remove these distinctions which ungenerously affected a particular class had come from the Ministerial side of the House, and that it represented a feeling which did not at all exist upon the Opposition Benches.

MR. MARTEN protested against the assertion that any such test as that spoken of by the hon. Gentleman the Member for Birmingham (Mr. Chamberlain) would be afforded by a vote on the Bill. The real question they had to consider was, what were the objects of the Bill, and what might be expected to be its operation. The abolition of the property qualification for Membership of that House involved entirely different considerations from those which were raised by the present Bill; for the land qualification, which was formerly imposed for Members of the House, entirely ignored commercial eminence, great attainment, and high position in other respects, so that persons of the greatest wealth might be excluded because they did not derive their income from land. That consideration could not apply to the municipal representation, where the qualification was a moderate rating or pecuniary qualification. The great object should be to obtain the services of the most suitable men, who were also the most acceptable to those whose affairs they were to control. No sufficient case had been made out for the passing of the Bill. The argument that the present law as to the qualification required tended to promote immorality answered itself. A most useful Act of Parliament might be evaded, but that could not be held to be a ground for not passing it. The first complaint he had to make against the Bill was that it was not at all candid; and, indeed, its language was calculated to mislead. The Bill did not profess to repeal the disqualification under the Act of 1835; it professed to confer something independent of, and in addition to, the qualification existing under the present law. The Act of 1869 specially provided that women should be electors for Municipal Corporations; and, so far as he could see, the effect of the Bill would consequently be to admit women to all municipal offices. The Committee which fully considered the subject last year, although it made recommendations on a variety of details, did not make a single suggestion as to the abolition of the property qualification. He contended that the want of a property qualification for a seat on the School Boards had proved a great evil, and admitted to the Board persons of very objectionable character. What he complained of in the Bill was that there was no alternative protection offered. Although he quite agreed with the hon. Member for Sheffield (Mr. Mundella), that if the Bill passed, the effect of the measure would not be very extensive; yet he could not agree with him that the Bill ought to be entertained. At least, it should not be entertained without a great deal of consideration by the House. The case of Scotland was mentioned; but it must not be forgotten that the Scotch were originally excused from having any property qualification on account of their poverty. Many of the provisions of the English law could not be introduced into Scotland without a revolution. They could not reason from

Scotland, where no qualifications were required, but from the circumstances of England; and he must oppose this Bill.

Mr. J. COWEN remarked that to appreciate the demand for the abolition of the property qualification for members of Town Councils, it was necessary to recall the circumstances under which it was imposed. When the Municipal Reform Bill became law, the country was still in the throes of excitement caused by the outbreak of revolutionary energy in France. An undefined dread pervaded men's minds. There was a spirit of unrest abroad. Party feeling ran high, and doleful predictions were indulged in as to the result of the experiment in Parliamentary government made by the passing of the Reform Act of 1832. Anyone referring to the discussions that took place at that time, either in or out of the House, would be both surprised and amused at the fears expressed as to the probable consequences that would flow from confiding the right of electing Municipal Councils to the direct action of the ratepayers. It was contended that these new boards would become focuses of insurrectionary initiative, and that they would inevitably end in the establishment of either a series of Communes such as had been sketched in the French Convention, or Federal States such as existed in North America, or Cantons modelled after the pattern of the Swiss Republic. The political storm that had swept over Europe—shattering so many Thrones, and shaking society to its centre—was declared by the alarmists of that day to be upon us. The fabric, the sacred fabric of property, was believed to be menaced, and total ruin awaited our social, civil, and political system, in the estimation of the Gentleman who then occupied the place of the hon. and learned Member for Leeds (Mr. Wheelhouse). The Whig statesmen of the day were said to have lost their heads, and their Party was accused of having abandoned its principles and traditions. All this turgid oratory read silly and stupid enough in the light of 45 years' experience; but it was listened to at the time, and had influence with men of authority. Acting under this foolish fear of popular power, the Municipal Reform Bill, introduced by the Ministry of the day, was entirely recast in its passage through the Upper Branch of the Legislature. Some of its most important clauses were erased, while others were rendered inoperative by vexatious qualifications. The principle of the Bill—the right of the ratepayers to regulate their own affairs—was, it was true, retained; but its operation was hedged round with unnecessary restrictions. The Bill, as originally drawn, proposed to allow the councils to nominate, not to appoint, the borough justices. But all the judicial attributes of the councils were subsequently centred in the Crown. Partizan Lord Chancellors had not scrupled to use this power often since then for Party and political purposes. The right of granting, refusing, renewing, and transferring licences for the sale of intoxicating drinks was vested in the councils by the Bill as it was first drafted. Probably this might explain somewhat the position of his hon. and learned Friend the Member for Leeds, who stood up so stoutly for the present licensing authority. The almost despotic and nearly irresponsible power of dealing with licences was transferred from the representatives of the people and conferred on the nominees of the Crown by the House of Lords. Provisions were made for the dissolution of the councils every three years in the same way as Parliament used to be dissolved before the Stuart Insurrection; but some timid legislators suggested that if all the councillors retired at once, a wave of popular passion might carry out of office all the men who had trained aptitude for municipal work. With a view of preventing the occurrence of such a terrible catastrophe, the House of Lords invented the cumbrous and inconvenient plan now in operation of one-third of the council retiring each year. An oath as long as Magna Charta, and as full of pains and penalties as the back of a hedgehog was full of pricks—a veritable municipal Athanasian Creed—and a most obnoxious qualification, were devised for members of these dreaded councils. The good sense of Parliament had long since swept out of existence the offensive oath. He invited them to-day to send the qualification after it. The restrictions imposed under such circumstances, and devised for such a purpose, could not with advantage, and ought not with justice, to be retained. All the direful prophecies of the re-actionaries had been falsified by facts. The councils had become nurseries for politicians of the middle class. The knowledge of public affairs gleaned in them had been of value in that House. Men who had achieved influence in Parliament and renown in the nation had received their first political and public impulses through the instrumentality of these bodies. They furnished a stronger motive for public-spirited exertion and diffused a keener sense of local responsibilities than was formerly entertained. By accustoming representative men—drawn from all parties and sections in the community—to meet on neutral ground, and work together for common objects, they struck at the very root of class prejudices. These institutions had had none of the destructive democratic energy and disposition for social innovation that they were credited with being likely to engender when they were first called into being. Indeed, their main characteristic—and, if he might be permitted to say it, their chief defect—had been an absence of speculative enterprize in public matters. The tendency of their proceedings had too often been to become perfunctory and humdrum. To uphold barriers that had been created with a view to counteract contingencies that had not arisen, and that in all human probability never would arise, was both unnecessary and unwise. He wished these institutions to effect for the more active artizans what they had already accomplished for the same class amongst tradesmen. He wanted a public body where wealth conferred no distinction and labour imposed no disqualification. The field of choice for candidates was limited not only by the system that obtained, but by the letter of the law. Workmen had no means of getting their peculiar desires, and wishes, and interests, their special views of municipal government, represented in these Corporations except by other voices than their own. When an Oriental met an European, and was obliged to resort to the use of an interpreter, with the figurative picturesqueness of his race he was accustomed to say—" My tongue is in the mouth of my friend," in other words—" You must listen to the interpreter and not to me." The artizans of England might say, that so far as municipal aspirations and complaints were concerned—" My tongue is in the mouth of my master." There was no community so interested in the preservation of local rights and in the efficient maintenance of local institutions as the industrial classes, who were at one and the same time the most numerous, the most dependent, and the most defenceless. For their health and their domestic comfort they must rely on the existence and enforcement of adequate sanitary regulations. A prosperous tradesman could retire at the close of the day to his pleasant suburban villa. A wealthy merchant or manufacturer could retreat in the evening and at the week's end to his stately country mansion, where—

> " The deer across the green sward bound,
> Through glade and sunny gleam."

But the labourer, often lean, withered, and careworn, was tied to insalubrious alleys and to crowded courts. He could not fly from fever or from diphtheria. The conditions of his existence called upon him to live where he laboured. Such a man was more interested in good municipal institutions and complete sanitary arrangements than any other member of the community. He ought not only to be indirectly but directly represented in any body that initiated proceedings which so closely affected his health and well-being. The future of our workmen was the most critical factor in the future of the British nation. A question of more importance could not be discussed within those walls. Its influence and effects reached further and deeper than the mass of problems that occupied the time of Members. He had been surprised, and he owned somewhat pained, at the spirit of some of the remarks he had heard that afternoon, and not unfrequently on other occasions in that Assembly. Hon. Gentlemen argued upon assumptions that he believed to be fallacious. He did not hold in any sense by the gloomy view that was commonly taken of the industrial outlook of the country. About the English artizan there was much to inspire hope and stimulate endeavour. He had lost, it was true, much of his old political fervour. He said this with regret as an English Radical; but he was bound to acknowledge facts whether they made for him or against him. A good deal of the poetic enthusiasm that once characterized the aspirations of the English workman had been damped. There was not now a single Utopia which inspired his confidence or enlisted his sympathies. The German artizans had been fascinated, for the time at least, by the transcendental industrialism of Lasalle, Leibneicht, Karl Marx, and Hasselman. The French workmen had passed through that stage. The names of Louis Blanc, Cabot, Fourier, and the systems with which they were identified, had ceased to be instruments to conjure with. They were now engaged in asserting and fighting for the right of association, liberty of the Press, and public meeting, privileges that in England we had enjoyed for generations. The English workman, on the other hand, was preeminently practical, somewhat materialistic, and, he feared, he must add not a little Conservative. He possessed steadiness of mind rather than activity; and he was to a large extent indifferent to anything that was not obvious and immediate, that was not pressing and present. All the features common to Englishmen were found in him. It was true that the French artizan as a man was more economical, and as a class more sober; but it was fair to add that the workmen in no country in the world had developed such elaborate and skilful machinery for self-help as the English had done. No nation, not even the thrifty Swiss, had such admirable institutions as their building societies and trades' unions, their co-operative stores and friendly societies. These bodies accomplished a double purpose. They produced admirable results both educational and social. Even the common accusation against the English workman, that he was intemperate, was exaggerated. Intemperance existed, he regretted to say, amongst a section, and with that section there had not been much improvement; but the body of the workmen of to-day—and in saying this he believed he spoke the experience of all men practically familiar with the industrial orders—were not only more intelligent but much more sober than they were 20 years since. He often heard in that House, and in the Press a few years ago, of the extravagance that had characterized them during the period of abnormal commercial prosperity they were then passing through. The charges preferred against the English artizans were in many instances false, and in all instances grossly overdone. He was prepared to maintain, on any fitting occasion, that there was no class in the community that had husbanded their resources with more care than the workmen did the share of the profits of those times that fell to their lot. The proof of that was found in the fact that, notwithstanding the prolonged, intense, and widespread commercial depression, there had not been, until the recent severe winter, any increased demand upon the administrators of the poor rate. The workmen, in fact, have been during these years living upon their savings. Men who had proved their fitness for political authority by a wise exercise of the powers and privileges they now possessed were certainly entitled to the small concession that the Bill before the House proposed to accord them. Comparisons had been instituted by hon. Gentlemen on the other side as to the property qualification that was formerly required of Members of Parliament and the qualification that was now enforced for members of the local bodies. It was contended by them that there was a difference between Town Councils and the House of Commons. He admitted that there was a difference; but the distinction made in favour of his contention and not against it. He need only use one illustration to prove that point. The House of Commons, where there was no property qualification for Members, had it in its power to impose taxes in a fluctuating and impartial manner. It could single out one class and tax them according to one scale, and another class according to a different scale. It was able, indeed, to act either arbitrarily or equitably, as it was so minded. He said it in passing, to the honour of the English middle classes, that their first exercise of legislative power had been used to tax themselves for the national benefit. They had only to refer, on the other hand, to what the present Government and the present Parliament had done in the levying of the income tax. One class in the community—the tradesmen—paid substantially at a higher rate than others did; and there were numerous instances of the same kind in their fiscal arrangements that could be cited. A body that had no property qualification was thus vested with this uncontrolled and almost unlimited authority, so far as taxation was concerned. But the local bodies had no such powers of making exemptions. When they laid on a rate it had to be applied equally to all. It was not in the power of any Town Council or Board of Guardians to charge the wage class at one rate and the trading class at another. They had to apply the same rate universally, so that the institution that had no property qualification for its members had really, in the mode of manipulating taxation, a greater power than the one in which a qualification for members was still enforced. He held, therefore, that the comparison between Parliament and the Councils, sought to be drawn by some of the opponents of the measure, pointed in the very way they did not want it. The property qualification was imposed, according to Bishop Burnett, for the purpose of keeping tradesmen and merchants out of that House and maintaining it as an Assembly for landowners. It was contended at the time that if tradesmen did enter, its authority would be weakened and its character would be degraded. The argument that had been used on the other side against the abolition of the qualification for members of Town Councils was just as absurd as the argument that was used to resist the repeal of the statute as applied to Parliament. He hoped the House would see the necessity of removing one more of the political disabilities under which the workmen of this country laboured; and he felt satisfied that if that was done the same result would follow as had followed the removal of previous restrictions. The history of the country proclaimed loudly that every concession made to popular power had added to the strength of their institutions. By doing away with grievances and abolishing sectional distinctions they lessened the number of the discontented, and added to the number of those who were satisfied. These considerations ought to have some influence with Gentlemen opposite who prided themselves on their Conservative convictions and sentiments.

MR. ASSHETON wished to recall the attention of the House to the fact that the question before it was whether it was desirable or not to read this Bill a second time? He regarded it as a piece of sentimental legislation. It violated the principles of political economy, that those who found the money should direct the spending of it. At present the people who sat on the Town Councils were the leading residents of the boroughs, and among those who contributed the largest sums to the borough funds. The expenditure of the money of a town should not be intrusted to men of straw; but to men who would feel that they were spending their own money as well as the money of other people. Whether the Bill passed or not would not make any practical difference, for talent would always rise to the top, and property would always have its legitimate influence. As to the argument drawn from the election of Members of Parliament, he did not think that the abolition of the property qualification had raised the type of Members returned, or increased the confidence of the country in the House. At all events, it had not influenced the return of a single Member. In like manner, he did not consider that the Bill would affect a single municipal election. As he could not support an inoperative Bill, he would vote against it.

MR. M'LAREN said, that as the practice of Scotland had been referred to by the hon. Member for Sheffield (Mr. Mundella) as an example which the House should follow in regard to England in this matter, he might be allowed to say a few words as to the system existing there. The hon. and learned Member for Cambridge (Mr. Marten) seemed to suppose that the absence in Scotland of any property qualification for serving in Town Councils and other Local Bodies was due to some old customs that had arisen from the poverty of that country. He (Mr. M'Laren) was sorry to say that not very long ago there were no municipal electors in Scotland at all, and no representation of the ratepayers whatever. Every Town Council elected their successors, and they elected themselves over and over again, there being not a vestige of election by the ratepayers. The system at present existing in Scotland was, therefore, not antiquated. It was originated by an Act which passed in 1832, and came into operation in 1833. He had the honour of being elected by the ratepayers to the first reformed Town Council of Edinburgh; and having been long a member of that Corporation, and having watched its proceedings from that year to this, and also seen the operation of the law in other parts of Scotland, he might, he thought, say without offence that he was as well qualified to judge as most Members of the House whether it had worked well or not. He expressed his most decided conviction that no system could be better. The poorest man in any town, county, or parish could be elected to any Town Council, Police Commission, Water Trust, Improvement Commission, Sanitary Commission, Parochial Board, or other public Body within it. None of the evils which he heard anticipated as the result of passing this Bill for England had occurred in Scotland. There was no question in Scotland about the excellent working of the system, and there was no desire whatever for any change. The plan was deliberately sanctioned by Parliament, and nobody opposed it. As to the charge made by the hon. and learned Member for Cambridge (Mr. Marten), that the fact of there being no property qualification for members of Local Bodies elected in Scotland arose from the poverty of the country—and that poverty appeared to be the solution of all his difficulties—he was entirely wrong. When the Act of Union was passed in 1707, there was no property qualification either in England or Scotland; but there must have been some feeling that democratic opinion was too strong in England, and therefore, when the Municipal Reform Act was passed, a property qualification was imposed for that country, but was not applied to Scotland. Of course, it was impossible to say what were the motives which actuated men who lived 170 years ago; but the fact was undeniable that no property qualification did apply to Scotland. Certainly the Scotch Members of that time were so subservient, that if the Government of the day had thought it right to fix the same property qualification for the then Members of Parliament, as existed in England, they would not have thought of resisting the proposal. He did not think the hon. and learned Member for Cambridge had suggested the proper solution of the difficulty. He agreed with those who thought that the passing of this Bill would not make a great difference in the composition of their municipalities; for, as the hon. Member for Clithero (Mr. Assheton) said, talent always came uppermost, and property always had its influence. In Scotland there had always been a due representation of property in the Corporations. He urged the House to remove the stigma which this property qualification imposed on the ratepayers in England. It was a badge of distrust. While believing that working men would make just as honest and upright members of these Local Bodies as other classes, he pointed out that working men had not shown any great desire to become members of Town Councils, or of any other Local Bodies, in Scotland. These Bodies mostly met during the day, and if a working man were elected, he would be obliged to sacrifice half a day's wages on most occasions in order to attend to the interests of his constituents. Working men were quite willing to trust their interests to those who had more leisure.

Mr. NEWDEGATE said, he had always voted that Scotland should retain her peculiar form of government and administration. But that very circumstance showed that he admitted the fact, that the characteristics of the Scottish nation were different from those of the population of England and of Ireland. He was afraid that Englishmen were not, to use a good Scottish word, quite so "canny" as Scotchmen. He could not, in considering this subject, put aside the fact that recent legislation had been adverse to the political representation and to the interests of the middle classes. In his opinion, legislation had gone quite far enough in that direction. Vacillation, not sudden always, but continuous, was the peculiarity of popular assemblies, and the action of the present House of Commons proved this, for nothing could be more dissimilar than the policy of the late Administration and the action of the last House of Commons from the policy of the present Administration and the action of the present House of Commons. That which we had to fear from extending the political power of the democracy was, that its action would sway, first, too far in the one direction; and, then, too far in another, as had been so lamentably exemplified in France. So much upon the general principle of the Bill; and, now, he would come to the particular case. The hon. Member for Newcastle (Mr. J. Cowen) spoke as if there was a strict analogy between the constitution of the Corporations generally and that of Parliament. He had adduced the fact that the property qualification, which was formerly required, had been abolished as regarded seats in that House, and thence argued that, therefore, all property qualifications for admission to the Corporations ought also to be abolished; he seemed to have forgotten that this was but one of two Houses of Parliament, and that the other House of Parliament was, by its constitution, especially the representative of property. There were no Houses of Lords in the Corporations; and he (Mr. Newdegate) held, and without the slightest disparagement to the high character of the working classes, that the Legislature ought to retain, and to secure in the Corporations, which had no House of Lords, some adequate representation of property. He felt the more bound to strive for this, because, while watching the additional weight that had recently been cast upon the rates of this country, he foresaw that the time was not far distant when the House would have to adopt the principle, which was already operative in Ireland—that of dividing the pressure of the rates between property and numbers. Seeing this, and knowing there were no equivalents for the House of Lords in the ordinary Corporation, he did deem it essential that the House should secure some representation of property in the Corporations. He wished to see Corporations improve, and to see the sphere of their operations extended; but if that was to be done safely, if that was to be done within any limited period, the House should do nothing to annul what remained of the representation of property in the Corporations. Taking, therefore, the analogy of the political constitution of this country, and applying it to the particular case of the Corporations, it would, in his opinion, be highly imprudent on the part of the House to annul what remained of the representation of property in the several spheres of municipal government to which this Bill referred. He said this from no jealousy of the operative classes. There would always be found a certain degree of swaying backwards and forwards, of uncertainty in the action of popular assemblies, no matter what might be the qualification of those composing them. Judging, therefore, this question, although it might appear a small question, according to those great principles upon which the Constitution of this country had been built, and seeing no danger of undue restriction of popular representation in the municipalities, but great danger in not guarding against undue exemption from local responsibility, he should vote against the second reading of the Bill.

Mr. HIBBERT said, the hon. and learned Member (Mr. Wheelhouse), who had moved the rejection of the Bill, seemed to think that it affected the interests of property in a remarkable degree; but it seemed to him that it was a most illogical thing to say that the householders of a Corporate Borough or a Local Board district should not have the right to elect the persons they desired to represent them. What, he would ask, was the difference between electing a representative of a Municipal Town Council and a Representative of the House of Commons? It had been said that in the one case there was a House of Lords, but in the other no such body existed; but what difference did that make? He did not know that when an election took place it was owing to the House of Lords; and, although that Body might delay the passage of a measure, when there arose a popular demand for it the measure was passed. He would, therefore, ask, whether the House did not think that under every circumstance property was adequately represented, whether they had regard to Parliament itself, or the different Local Boards which existed outside of it? It was quite clear that since the property qualification had been abolished the status of Parliament had not been lowered, as had been said, for it was undeniable that property had still an enormous influence in deciding the result of every election; and he did not see what argument there could be against abolishing that qualification with reference to Town Councils and Local Boards, or why it should be said that such a step would remove altogether the influence of property. He ventured to say that if the property qualification were removed to-morrow the constitution of Town Councils would be very much the same as at present. They had had the experience of the House; they had had the experience of Scotland—various Governing Bodies of which country, in his opinion, contrasted favourably with similar Bodies in England—and it had been shown that no evils had arisen from persons being allowed to elect those whom they thought the best qualified to represent them. Members of the House would probably remember the delays which often occurred in the management of concerns conducted by those who were elected in consequence of property qualification. But he would ask those who opposed the Bill to consider what had been the result of the management by working men of their own concerns; and on that subject he could speak himself from experience derived from the town which he had the honour to represent. During the last five or six years the working classes in that town had elected their own officials, who now carried on between 30 and 40 of the largest mills in the borough. The working men had found all the capital, and had carried on their affairs quite as successfully as any private Company. In the election of their managers the men paid no particular regard to the number of shares held by any candidate, who was equally as eligible whether he held one or 100 shares. As a matter of fact, the management of those concerns was characterized by as great economy and straightforwardness as was to be found in any public Body in this country. What he should be most afraid of, as the result of this Bill, was that those elected on Local Bodies would be inclined to spend, not too much, but that they would spend too little. He was not afraid, from his experience of them, that they would spend lavishly, or in a way which would be objectionable to the ratepayers. His experience was altogether the other way, and that there would be the greatest carefulness, and nothing whatever approaching to the danger predicted by the opponents of the measure. Believing there was nothing to fear from the working classes, he was quite ready to vote in favour of the Bill. Having given the vote to every householder in the country, he did not think they could stop there. They must go further, and allow them to fulfil the various duties of local government. He believed that this could in no way weaken that government; and the only further observation he could make was that it was now time for the House to be told, after three hours' discussion of the Bill, what were the views of the Government upon the subject, and whether they intended supporting the second reading. If not, they should explain the grounds upon which he understood they intended to oppose the Bill.

Mr. BURT said, he entirely agreed with the hon. Member for North Warwickshire (Mr. Newdegate) that property should be duly represented; but he failed to see that the representation, or the interests of property, would be endangered by the passing of this Bill. The object of the Bill was to determine that property should not have exclusive representation. The general principle underlying the measure had been so admirably placed before the House by the hon. Members for Sheffield and Birmingham (Mr. Mundella and Mr. Chamberlain), and especially in the very eloquent and powerful speech which the hon. Member for Newcastle (Mr. J. Cowen) addressed to the House, that he (Mr. Burt) would not detain the House a single moment in dealing with that aspect of the question. He thought they were all agreed that what was desirable was that they should have the best possible men to be members of Town Councils and Local Boards. He denied the statement of the hon. Member for Clitheroe (Mr. Assheton) that this Bill dealt with a sentimental grievance. The evil was more felt in the country districts than in the large towns. There was no doubt there would always be a very large area of choice in extensive and wealthy boroughs; but in the country districts the area of choice was very often considerably limited, and it was, in many cases, absolutely impossible for the majority of the ratepayers to elect persons they would like to have to represent them. He could point to a mining village in Northumberland where there were about 2,000 inhabitants, and where there were not more than 12 or 15 persons who were eligible to serve on the Local Board in that district. Those persons, moreover, were, directly or indirectly, under the control of the colliery proprietor for the time being. Well, that particular place was noted for its bad sanitary arrangements. Many of the houses were of the most wretched description. He had visited them, and he had found the rain coming through the roof, whilst their sanitary state was also of the worst possible kind. Excepting the houses of the officials, and the shopkeepers and the publicans, no dwelling in the whole village had a water-closet. The inhabitants had been for some time desirous for a reform in their local representation, in order that they might get men elected in whom they had confidence, and who were not under the control of the colliery proprietor; and they had to go a distance of several miles to find men of that description. He thought facts of that kind went to show the necessity of a reform in the state of the law. In another part of the same county, in a portion of the borough which he had the honour to represent, there had been a good deal of excitement and agitation on this question. The Act had to be evaded in the way the hon. Member for Sheffield (Mr. Mundella) had pointed out. Men had colourable qualifications in order to enable them to be members of Local Boards; and he considered it was undesirable in every way that the persons who had to be elected on those Boards should be other than those in whom the ratepayers had the fullest confidence. Reference had been made to the removal of the property qualification of Members of Parliament, and there had been an attempt to show that the circumstances were entirely different; but he thought the hon. Member for Newcastle (Mr. J. Cowen) had very conclusively shown that, so far as the circumstances of the two cases differed, they told very strongly in favour of the removal of the existing disqualification. He had lived for about 14 years in the borough he now represented. During the whole of that time he never occupied a house that gave him the necessary qualification to be a member of one of those Local Boards; and it seemed to him to be an anomaly that ought to be remedied that a man could not be a member of a Local Board, and yet he might be sent to take part in legislation affecting the whole Empire. He hoped the Government would assent to the second reading of the Bill.

Mr. RATHBONE said, he would not detain the House; but one point had not been brought forward which he thought was very strongly in favour of this Bill. The hon. Member for Morpeth (Mr. Burt) had just said that, in comparing the necessity for the removal of the property qualification in the case of Members of Parliament and in the case of members of local Governing Bodies, there were decided reasons in favour of the latter. He (Mr. Rathbone) would point out another decided reason. It was not possible for a working man to remain at his work whilst he discharged the duties of a Member of that House; but it was perfectly possible and practicable for a superior working man to remain a working man and still take his share in local self-government. Every working man who was really a superior hand at his work could command his place; and if he chose to devote an afternoon a month, or whatever the time might be, to take his part in local government, he was perfectly able to do so. Now, it certainly would be a very desirable thing if they could have representatives of property and representatives of labour working together with a common object and in a common work. He had always strongly advocated that owners of property should take a greater part in local government than they did now; and if the Scotch principle were carried out they would be compelled to do so, and he should wish that done. But, at the same time, the very reason that made it desirable that owners of property should come and take part in local affairs, that same reason applied to working men; for, as the hon. Member for North Warwickshire (Mr. Newdegate) had pointed out, both property and persons were concerned in local government: and, surely, the interests of those whose life and health were at stake were even more important than the interest of property only. Therefore, he hoped the property qualification—that offensive, wretched rag of plutocracy—would be swept away, and working men would be brought to take their share in local government.

Mr. SALT said, he regretted the absence of the President of the Local Government Board. In criticizing the Bill he should really have to speak more for himself than for the Government, although he believed he should be expressing the views of the President of the Local Government Board upon the subject. The hon. Member for Sheffield (Mr. Mundella) had claimed the vote of the Government in consequence of certain statements which were made by the President of the Local Government Board upon a previous occasion; but those remarks applied to an altogether different Bill. He would also remind the hon. Member that the extracts he had read, from a book by an able and well-known author, in support of the measure were written with reference to circumstances which had long ago passed away. The passages quoted from that work referred to the period before the Reform Act of 1832 and the Municipal Corporations Act of 1835; and described, in glowing language, of which a nation might be proud, the benefits and the freedom that had resulted from the passing of those measures. With regard to the Bill itself, he supposed hon. Members were all agreed that their common object was to obtain the best local government and administration that was possible. All were desirous that local administration should be good, powerful, honest, and free; and if there was any difference, it was not in the object to be attained, but as to the time and method in which a particular step was to be taken. Whenever there was a question as to the restriction or the giving of freedom to any member of the community, the spirit and the disposition would exist—not on one side alone, but on both sides, and in all parts of the House—to give greater ease in the management of public affairs. He could not, however, agree that an argument of injustice could be founded on the fact that any particular class of persons were excluded from the representation on Town Councils of the localities in which they lived. The right of the people was to good government. That was the right of every man, woman, and child in the country; but it did not follow that they had a right to any particular place or position in the system of government. It must be left to the Legislature to fix a line above or below which the representatives should be drawn. No one was more ready to acknowledge than himself the excellent local administration that existed in the country, and the capacity of the working classes to manage their local affairs; and of this he had had some practical experience. When he came to consider the Bill itself, he found it proposed to deal with qualifications for certain offices created by four of the most important Acts that Parliament had ever passed—the Poor Law Amendment Act of 1834, the Municipal Corporations Act of 1835, the Metropolis Management Act of 1855, and the Public Health Act of 1875. Three of those Acts were passed by Liberal Governments; and the fourth, though passed by a Conservative Administration, was principally a consolidation of Acts passed by the Liberal Party. These four great Acts were the result of much care, thought, and discussion. Year after year, decade after decade, administration after administration, in matters relating to the most important affairs of local government, it had been decided, with a striking unanimity, that it was desirable to have a qualification for members of Boards of local administration. Of course, he did not argue that legislation should remain eternally fixed. Men changed, as times and circumstances changed; but he contended that such an alteration as was proposed by this Bill should not be made without the greatest care and the fullest discussion. Again it dealt with a vast number of local Acts of a peculiar character; and, as the Bill stood, it would be difficult to say how the places to which these Acts referred would be affected. It was not a little remarkable that though the Bill professed to abolish all qualifications for guardians, yet, if it passed in its present form, the qualification for a guardian in Birmingham would be a £12 qualification, the same exactly as already existed in the town of Oldham. However important the matter might be, and however desirable it might be to make some change in this direction, this was not the Bill by which such a great change should be carried out. He thanked his hon. Friend for having brought forward the Bill; but, still, he supported the Motion for the rejection of the measure.

Mr. STANSFELD complained of the disposition evinced by some hon. Members to magnify the consequences of the Bill, in order to enforce their objections to it. He particularly referred to the statements of the hon. and learned Member for Cambridge (Mr. Marten), who protested against the Bill as a measure which interfered with existing legislation, and was destined to produce a great change. The hon. and learned Member looked at the Bill as if it really proposed to abolish all rating qualification. But what was it that was contemplated by the Bill? Why, to try and reform some of the present anomalous restrictions affecting Local Bodies. Surely it was not necessary to reply to the argument of the hon. and learned Gentleman, when he said that the Bill interfered with great measures of legislation passed in former years, nor was it necessary to show that a great deal had happened since then. In his opinion, the argument in favour of a property qualification for the members of Local Boards had signally failed. Since the period referred to by the hon.

and learned Member, the system of School Board representation had been created; and in adopting that system, which ignored the property qualification, the House had deliberately chosen not to repeat the old system. It was useless to endeavour to draw a distinction between the representatives of School Boards and Municipal Bodies. No one could deny that the functions of the School Board were quite as important, from a financial point of view, as those of any other Representative Body. He had no intention of discussing the question of School Board extravagance, nor whether Municipal Bodies had not often been guilty of a disregard of economy; but what he would maintain was that the extravagance in either case had not arisen through want of a property qualification. His hon. Friend the Secretary to the Local Government Board (Mr. Salt) had apologized for the absence of the President of the Local Government Board, and took occasion to speak disparagingly of the principles of the Bill. But the hon. Member appeared to have forgotten the circumstances of two years ago, when these principles were recognized by the Government, who engaged to deal with the matter. On that occasion, when the Bill of his hon. Friend was introduced, how was it met by the President of the Local Government Board? The right hon. Gentleman stated distinctly the principles of the Government. He said that no one in that House could desire to rely on the property qualification as being essential to the due conduct of public business by those elected to discharge that office by their fellow-citizens, still less would the present Government—some of whom were responsible for the repeal of the property qualification—stop a measure which might seem to abolish that antiquated qualification. With regard to the Bill itself, he would merely observe, without being considered disrespectful to the House, that he was much impressed with the feeling of unreality which characterized the opposition to the measure, and the objections raised against it. His reason for thinking so was that there was no such thing as disqualification in Scotland, where the system worked very well. But when they came to take a common-place view of the matter, and when it was urged that what was good for Scotland was not good for England, he must deny, as an English citizen, that Scotland was fit to be without a disqualification while England was so unfit. The case of a member of a School Board, who had been brought before the magistrate and charged with assault, had been referred to as an argument against the Bill. But his hon. and learned Friend had given them to understand, without anything to support his argument, that this particular member had found his way on the Board through want of a property qualification; and therefore, *à priori*, if a property qualification had been imposed, he would not have been elected as a member of that Body, and, consequently, would not have found himself in that position. He altogether failed to see the justice of that argument. With reference to the abolition of the property qualification for Members of Parliament, one of the arguments used by the opponents of the Bill was that it was a very different thing to send a man to Parliament and to elect him to a seat on a Local Body, inasmuch as the question of finance was in one case of a general and national character, and in the other particular and local. In support of this view, it was argued that to deal with questions of local interest it was necessary to possess a property qualification, otherwise members of Local Boards would have no interest in an economical expenditure. He thought the case was infinitely stronger with regard to local elections than in respect to Parliamentary candidates. In the first place, local matters were of a small character, and the expenditure fell directly on the small householders. The incidence of Imperial taxation involved different considerations. There was another reason why this opposition must be considered as unreal. He ventured to say that if the present House of Commons were compared with any Parliament when the law of disqualification was in full force, it would be found there were fewer Members at the present time not in possession of that qualification than there were then. There was another motive which gave an air of unreality to the opposition to the measure. It was that hon. Members felt that reform was coming, whether they liked it or not. Why was it coming? Those on that side—the Ministerial—ought to know that it was due to their own legislation. It was because of the Act of Parliament which the Conservative Party passed in favour of Household Suffrage. When that measure was passed it practically did away with all those anomalies in the existing legislation. By adopting the principle of Household Suffrage the House would descend on firm ground. The Conservative Party, in passing that measure, must take the consequences. They must have known that when Household Suffrage was granted to the boroughs it must be granted to the counties before long. For reasons of this kind, and because he felt that no valid objection had been raised against the Bill of his hon. Friend, which secured the support of the Government a few years ago, he should vote for the second reading of the Bill.

Major NOLAN said, the Bill contained one provision which he heartily supported, and that was the provision for lowering the qualification in the case of Poor Law Guardians.

Mr. MUNDELLA, in reply, said, he was more than satisfied, in the course of the debate, with the very strong support the measure under the consideration of the House had received, and he would not detain the House more than a few moments whilst he explained one or two points. The hon. and learned Gentleman the Member for Cambridge (Mr. Marten) said his Bill gave no alternative qualification, whereas there was an alternative qualification. The draftsman who prepared the Bill pointed out that he had fulfilled his instructions by putting in the alternative qualification. Members of a Town Council might hold property in a borough, and reside six or seven miles out. With respect to the illustration that was given about the gentleman who was elected at the head of the poll in connection with the School Board, and who was convicted of a common assault and sent to prison, and that he could not have been so returned if it depended upon a property qualification, he must say that was a mere assumption, for he happened to know who the person was, having that moment been told by an hon. Member; and perhaps the hon. Gentleman who gave the illustration would be surprised to hear he possessed abundant qualifications, and was a practising solicitor in a large town. There were only one or two points he wished to refer to that were made in the speech of the hon. Gentleman who represented the Government to-day. He must say he heard the speech with some surprise, and with a good deal of regret. He did not claim to have any great understanding; but the understanding was one come to in the House, and was to be found in the pages of *Hansard*, and that was that the Conservative Government had abolished the property qualification for Members of Parliament, so why should they not abolish the other qualifications also? The hon. Gentleman who represented the Government said, then, he was not opposed to the Bill, but that it did not go far enough; and, that being the case, he could not see how the Government could recognize the course they were now taking. The right hon. Gentleman the Chancellor of the Exchequer, whom he was sorry to say was not in his place, said it was as fair as it could be, and that the objects to be obtained by the Bill were perfectly reasonable. He crossed the House, and spoke to the right hon. Gentleman, and received his assent to the principle of the Bill. Therefore, he (Mr. Mundella) thought it was rather hard—he would not say scurvy—for the Government to go against him. He thought he had misquoted the excellent Constitutional work to which he had referred; but if he would read the passage immediately before the one he did read, he would find it was different. Certainly the Municipal Corporations Reform Act was passed by a Liberal Government; but it passed without the property qualification. That was introduced in the House of Lords, and a strong Liberal urged that the Bill should be dropped rather than pass it with that provision. He was willing to let his Bill rest on the illustration given by the hon. Member for Morpeth (Mr. Burt.) He said he had lived for 14 years in that constituency, and during the whole time he was not qualified to be a member of the numberless Boards in the place; but he was able to come there to assist in voting £80,000,000 away in that Imperial Parliament.

Mr. MITCHELL HENRY, in supporting the Bill, said, he wished to make one observation on this measure. It applied to Ireland, and there was a fact that the House should know. In that country there was no statutory qualification at all for Boards of Guardians. The Local Government Board fixed its own qualification, and in some places it was high and in others low. Nearly 20 years ago the Local Board of a district, in the neighbourhood of which he lived, raised the qualification so high that there was very little representation of the people on the Board of Guardians. That was a great anomaly, and contrary to the principle of representation.

Question put.

The House *divided*:—Ayes 167; Noes 173: Majority 6.—(Div. List, No. 57.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

JOINT STOCK BANKS (AUDITING OF ACCOUNTS) (SCOTLAND) BILL.

(*Mr. M'Laren, Sir Alexander Gordon, Sir George Balfour, Mr. Whitwell.*)

[BILL 58.] SECOND READING.

Order for Second Reading read.

MR. M'LAREN, in moving that the Bill be now read a second time, said: Sir, as it is half-past 5 o'clock, and we have only a quarter-of-an-hour available, I propose to reserve the discussion of the Bill till the subsequent stage.

MR. ASSHETON CROSS: This is the stage on which we ought to have an explanation of the principle of the Bill.

MR. M'LAREN: The right hon. Gentleman has placed me in the somewhat awkward position of having to talk out my own Bill. I was in hopes that I should have been allowed to read the Bill a second time, and that the discussion would be postponed until the next stage. The Bill applies to Scotland only, and to the existing banks in Scotland, and its object is to have an efficient audit established. If Her Majesty's Government, or any hon. Member, can suggest a more efficient way than I propose by this Bill, I shall be very glad to give way to them. All I wish to secure is that there should be an efficient audit of the accounts of the existing banks. Any objections which have been urged against the Bill are confined, I believe, to the machinery of the measure. I have never heard any objection raised, either in Scotland or in this House, to the principle of an efficient audit. In short, though I have heard many suggestions as to the appointment of auditors, the powers that ought to be given to auditors, and all sorts of objections of that description, there is no objection to the principle. Under the Companies Act of 1862 powers are given to all the existing banks to comply with the provisions of that Act, and to obtain the benefit of a Charter. Three of the Scotch banks took advantage of that Act of 1862, and in that way obtained the benefit of its provisions. That Act, Sir, contained the most stringent provisions about the audit of accounts; but it was optional on the part of the banks to accept them or not. The City of Glasgow Bank, which recently came to such a sad end, was one of the banks which, in place of adopting and complying with these provisions, utterly disregarded them. There were other two banks in Scotland which applied for the benefit of this Act of 1862, and they also, I am sorry to say, failed to adopt the conditions of the Act respecting an audit. In Schedule B, appended to this Bill, there are a number of extracts from the Companies Act showing that there should be an auditor, showing how he is to be appointed, how he is to be paid, how he is not to be connected with the Company, and containing a great many safeguards about the audit. Then comes paragraph 93 in Schedule B—

> "Every auditor shall have a list delivered to him of all books kept by the Company, and shall at all reasonable times have access to the books and accounts of the Company; he may at the expense of the Company employ accountants or other persons to assist him in investigating such accounts, and he may in relation to such accounts examine the Directors or any other officer of the Company."

In that part of the Act relating to accounts it is provided that—

> "A balance-sheet shall be made out every year and laid before the Company in general meeting, and such balance-sheet shall contain a summary of the property and liabilities of the Company, arranged under the heads appearing in the form annexed to this table, or as near thereto as circumstances admit."

Then comes this most important of all the provisions—

> "A printed copy of such balance-sheet shall, seven days previous to such meeting, be served on every member in the manner in which notices are hereinafter directed to be served."

That provision has never hitherto been adopted or complied with either by the City of Glasgow Bank or the other two. Under Schedule B there are these conditions—that the auditor shall make an efficient audit by examining Directors and books, and employing accountants, and then as to their report—

> "The auditors shall make a report to the members upon the balance-sheet and accounts, and in every such report they shall state whether in their opinion the balance-sheet is a full and fair balance-sheet containing the particulars required by these regulations, and properly drawn up so as to exhibit a true and correct view of the Company's affairs; and in case they have called for explanations or information from the Directors, whether such explanations or information have been given by the Directors, and whether they have been satisfactory; and such report shall be read, together with the report of the Directors, at the ordinary meeting."

Now, Sir, if these provisions had been adopted and observed in the case of the City of Glasgow Bank it would have been utterly impossible for the bank to have gone on after the first audit; for no auditor with any regard for his character, no man of ordinary skill as an accountant, could, after he had looked at these accounts of the City of Glasgow Bank and the pretended balance-sheet, have put his name to them. In fact, when the bank got into difficulties an accountant was sent to examine the books, by other banks, in order to see whether it would be safe to assist the Glasgow Bank; and the accountant, in two days' examination, found out that the whole affair was utterly rotten, and reported to the other banks that it was perfectly hopeless to carry it on. Now, the pretext for not carrying these rules into effect, even where they are nominally adopted, is this—and I should like the House to understand it—that while it is required that auditors shall be appointed, there is a proviso that if the directors fail to appoint the shareholders may apply to the Board of Trade, and the Board of Trade may do it. Well, the Directors have not appointed, and the shareholders have not tried to put it in force, and the result is that the whole thing remains in an uncertain state. I hope I have said enough to induce the right hon. Gentleman the Home Secretary and the House to allow this Bill to be read a second time. It may be considered, if the right hon. Gentleman wishes it, as a blank measure, which he may fill up as he likes, if he will allow it to pass the present stage.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Laren.*)

Mr. ASSHETON CROSS: Sir, looking at the time, it is necessary for me to be as brief as I possibly can, for nothing would induce me to talk out the Bill. What I want to say with regard to this Bill is this—that, so far as I read the measure, I am afraid it would place a duty upon the auditor which it would be absolutely impossible for him properly to fulfil. Therefore, the effect of an auditor pretending to undertake the duty would be practically to mislead those who might be led to rely on his Report. The auditor, in my opinion, would neither have the power nor the means at hand to carry out the duties imposed on him. That is the observation which I wanted to make upon this matter. If the simple question of principle is to be taken with regard to this Bill, that the accounts of the banks should be audited, to that principle I have no objection whatever; but the audit proposed by this Bill, for the reason I have stated, would be absolutely misleading rather than giving any proper assurance to the shareholders, for it proposes that the auditor should certify in reference to things that can only be known to the Directors —such, for instance, as the nature of the customer's credit. I do not believe you could find in the world an auditor who would undertake to audit a banker's accounts according to the principles of this Bill. I am perfectly certain, if he attempted to do his duty, he would find it impossible to perform it, either legally or properly; consequently, the Bill would be worse than useless. But if the principle of the Bill is merely that there should be audit as far as it can be conveniently made, to that principle I have not the slightest objection.

Sir JOSEPH M'KENNA: I object to the principle contained in this Bill; but I do not think it is possible for me to express, in the time I have at my disposal, the objections which I take to it. Its principle is wrong; it is wrong in its details; but I admit it is an effort to reform the law, and that a great reform is required in respect to bank audit. Now, what I believe this Bill would do, if carried into law, would be to render the audits still more imperfect than they are at present. There is a certain good and tried formulary provided by this Act; and if that were adhered to in a business-like and strict manner, I admit that a great improvement would be effected; but we know very well what occurs where there is a certain form which people have to sign—those forms are printed, and people sign them as a matter of course. The whole principle of the Bill is contained in the form of the audit, and the penalty to be applied in case of failure to give that certificate truthfully. Now, it appears to me that the certificate is vague in its form. The auditor has to say that he has "carefully examined the above balance-sheet, with the accounts and vouchers relating thereto;" that is to say, the balance-sheet, accounts, and vouchers of the bank which is being reported upon. Could anything be more indefinite? What are the accounts and vouchers relating thereto? The whole question with respect to this bank, which is being reported upon, is whether they have assets; whether what has been returned as assets are really so or not? This, I maintain, it would be impossible for the auditor proposed by this Bill to determine. ["Divide, divide!"] I shall not conclude my observations one moment sooner in consequence of the interjections of the hon. Member. The question this House has to consider is how it can effectuate a real audit, so that persons signing these certificates——

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow*.

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (CASTLE DOUGLAS) BILL.

On Motion of The Lord Advocate, Bill to confirm a Provisional Order made under "The Public Health (Scotland) Act, 1867," relating to the Burgh of Castle Douglas, *ordered* to be brought in by The Lord Advocate and Mr. Secretary Cross.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 3rd April, 1879.

MINUTES.]—Public Bills—*First Reading*—Courts of Justice Building* (44); Racecourses (Metropolis) * (45).

Select Committee—County Courts* (12), *nominated.*

Committee—Bankers' Books (Evidence) * (24).

Committee—Report—Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation* (32).

NAVY—THE HEAVY GUN COMMITTEE.

OBSERVATIONS. QUESTION.

Lord SUDELEY said, that before he put the Question of which he had given Notice, he desired to say a few words by way of explanation. In the discussion which arose some days ago on the explosion in the *Thunderer* the noble and gallant Lord who represented the Admiralty in that House (Lord Elphinstone) stated that the Government proposed to re-constitute the "Heavy Gun Committee," to refer to it all questions arising out of the explosion; and he understood the noble and gallant Lord also to intimate that the Committee would consider questions generally relating to improvements in gunnery science. Now, on the formation of the Committee very much depended. Was it to be an impartial, unprejudiced tribunal, free from bias of manufacturing departments? Was it to have a full proportion of naval officers upon it? They were deeply interested in the decision arrived at. From 1857 to 1868 we had a very fair and impartial Ordnance Select Committee, and it was under their superintendence all the great gun experiments were made between rival competitors, and by which we had obtained our present construction and system of ordnance, In 1868 Lord Hampton, at that time Sir John Pakington, came to the conclusion that as the great wave of invention had somewhat slackened, and as the Committee had arrived at certain definite conclusions on construction and rifling, the time had arrived when they might accept the general question of construction as settled, and proceed to carry out the armament of our forts and ships on the principles thus laid down. Having come to this determination, the Committee was dissolved, and General Lefroy was appointed a sort of dictator to carry out the general armament on this definite system. Subsequently, when Lord Northbrook's Committee sat, this office was merged in that of Director General. The *cadre* of the old Ordnance Select Committee was, however, retained, and the secretary and two or three officials were attached to carry out, with the assistance of officials from the gun factories or other departments, acting in small committee, such experiments as might, from time to time, be found necessary. Now, he had no wish to question the decision which was arrived at when the old Ordnance Select Committee was abolished. It was most desirable at that time to proceed with a general system, and perhaps it would have been difficult to have done so while experiments on a great scale were being carried out. But, since that date, 10 years had passed away, and gunnery knowledge had not stood still. Enormous changes had been effected, and it was impossible to shut their eyes to the great artillery improvement which had been carried out by private manufacturers, especially during the last two years, which had virtually revolutionized the whole system, and rendered the re-appointment of such a Committee a necessity. He would glance for a moment at what these improvements really were. About two or three years ago it was discovered that the pressure in the powder chamber could be regulated so as not to exceed certain limits, first, by increasing the space occupied by the cartridge; and, second, by modifying the nature of the powder, so that it should burn more slowly. Directly this was ascertained, it became possible to increase the charge very largely, and with it came the necessity of lengthening the gun. Two or three times the amount of powder could now be used, and the general result was that with this new type of gun, chambered and lengthened, they could obtain double the power. The enormous leap in advance which this had made in our gunnery science could best be shown by quoting two or three cases. They had obtained very high velocities without any additional strain. The new 6-inch gun, 4 tons weight, had greater penetrating power than the old 8-inch, 9 tons weight, and almost equalled the old 9-inch, 12 tons weight. The new 8-inch, 11 tons weight, was much more powerful than the old-service 25-ton gun, and equalled the old-service 35-ton gun. The old-service 12-inch 35-ton gun would go through the turret of the *Thunderer* or the *Peter the Great* at 500 yards; the new 8-inch of 11 tons could do exactly the same. The old-service 18-ton gun could penetrate *Hercules* armour at 500 yards, and the breastwork of the *Thunderer* and *Devastation;* the new 8-inch 11-ton gun could do the same at 2,000 yards, and yet the gun weighed 5½ tons less. These alterations had also opened up the question of breech-loaders. Now that they were able to regulate the pressure in the chamber of the gun, nearly all the old objections to breech-loaders had vanished, and with the increased length —26 calibres instead of 16 calibres—they must in turret and in broadside ships have breech-loaders. It was not only the great penetrating power which we obtained, there was another advantage of most material importance. The great additional velocity which was got, going up to 2,100 feet in a second, enabled us to fire point blank up to a long range, and the shot was far more likely to strike an adversary, because the path of the projectile was less curved, and therefore less likely to pass over. This at sea, with ships rolling about, was of the utmost importance. These alterations were, he apprehended, as great as the change from smooth-bore to rifle guns. It was no question of construction, but merely of pattern and length. If this was the state of the case, let them see what was being done towards adopting these improvements. He believed he was correct in saying that the gun factories had not made any of these new type of guns, except two 80-ton guns, and that at the present moment the Navy was still being supplied with guns of the old pattern, which were, as he had already shown, of half the power of the new. Now, he was the last person who would wish to say one word against the gun factories, or would desire to set up any jealousy or friction between the War Office and the Admiralty. General Younghusband, who was now at the head of the gun factories, was second to none in ability and in his determination to do his duty. He was quite aware that the gun factories were admirably managed, and that the highest credit was due to all the officials concerned for the manner in which their work was carried out. It was quite clear also that, with the enormous number of forts and establishments scattered about, it was essential that there should be interchangeability of patterns and ammunition; and therefore they were bound to look with the most jealous eye on any alteration which would throw confusion into this vast array of stores. But with these difficulties constantly before them, it seemed to him the very reason why the officials should not be the judges as to what improvements were necessary. What he did blame was the system which made the Navy dependent on the War Department. In the Army there was no urgent haste in altering patterns of heavy ordnance for forts; but in the Navy it was of the most imperative importance that every improvement should be at once adopted. He understood that at least three foreign Governments were at this moment being supplied with these guns of the newest types for their Navies from a private firm which was on the most intimate and friendly terms with the Government. In the Navy we spent vast sums—£300,000 and £500,000—in building our ships, which, say what we would, were only gun carriages. In former days our large ships carried 120 guns, and then the gun element was not of so much importance; but now our largest ships carried only four guns, and therefore it was of vital importance that those guns should be the most efficient it was possible to obtain. Let their Lordships think for one moment of the enormous change in the offensive power of a ship like the *Thunderer*, if by adopting these alterations they could actually double the effect of her guns and obtain double the penetrating power. Let them remember that this was no mere inventive theory, but it was an actual ascertained fact. If we were to carry out any of these great improvements, it was imperative that the Select Committee to be re-appointed should be based on the lines of the old Select Committee. At present the only Body responsible for these matters, and who had to consider them, was what was termed the Heavy Gun Committee, which was a War Office Departmental Committee composed entirely of the heads of the Gun Department, and on which the Navy was entirely unrepresented. It was true that on a branch of their work there were two naval officers—Captain Bridge and Captain Bruce; but they had only to deal with the 80-ton gun question. On the general subject the Navy was utterly and entirely unrepresented. Now, could this be satisfactory? We had a great Service—whose principal weapon of offence was the gun, whose direct interest it was, in every conceivable way, to have the best gun that money could procure—left in the consideration of these vital points dependent on another Department. In the Navy ships had now so few guns that interchangeability of stores was not so material a point as on shore, and a ship could be very much self-contained. He contended that the Navy had so deep an interest in the gun question, that it must be fully represented on whatever Committee was formed, and, beyond and above that, he thought the Admiralty must be perfectly free. As it was, with machinery and steam engines, the highest skill this great mechanical nation could call forth should be placed at the disposal of the Admiralty. On the Committee he hoped a naval architect would be appointed, in the same manner that Royal Engineers were thought necessary. Experiments against iron plates were made, and questions as to how guns were to be carried arose; and it was most important that the naval architect should be kept fully aware of all that went on, and able to advise and assist. This was a question of the most vital interest to the Navy. The noble Duke (the Duke of Somerset) the other day spoke in noble and generous language of the manner in which the officers and men behaved after the terrible explosion on the *Thunderer*, amid that darkened scene of horror and desolation. He went on to say, that with the terrible dangers our men encountered externally from shot above and torpedoes below water, it was to be hoped that no pains would be spared to save them in future from internal danger and from explosions. The best way to effect that was by appointing a thoroughly competent tribunal to look after the matter; and, with the vast stake the Navy had in the question, he did hope the noble and gallant Lord who represented the Admiralty would be able to say that in future they would not be unrepresented. The noble Lord concluded by asking—

How many members the re-constituted Heavy Gun Committee is to consist of, and what will be the proportion upon it of naval officers:

Whether a naval architect will be put upon it:

Whether any officers identified with inventions or novel proposals submitted to its consideration, or any officer connected with any manufacturing department, will be appointed or retained upon it:

Whether the Committee will be directed to make periodical reports; and whether such reports will be communicated either to the public or to those persons directly affected by them within a reasonable lapse of time?

LORD ELPHINSTONE said, he did not propose to follow the noble Lord through the various subjects which he had brought forward, but rather to reply to the Questions put as they stood upon the Notice Paper. The Heavy Ordnance Committee would be re-constituted, and it was intended that it should consist of seven members—two Naval officers, one officer of the Royal Engineers, three officers of the Royal Artillery, one officer of the Indian Artillery. These officers would act immediately under the orders of their own respective Departments—the Naval members under the Admiralty, to whom they would be answerable; the Military members under the War Office, to whom they would be answerable. If at the Admiralty it was considered desirable that any particular experiments should be carried out with any particular gun, they would instruct the Naval members of the Committee accordingly, who would bring the matter before the whole Committee, where it would be discussed, and the nature of the experiments would be determined on; and the War Office would act in the same way. To this Committee, in the first instance, would be referred the questions now before the Heavy Gun Committee, and the question of breech-loading. The Admiralty had not decided as to what officers they would place upon this Committee; but they would be selected as men of the broadest views, irrespective of rank, men specially competent to advise, and men who, although not naval architects themselves, would be, at the same time, qualified to form and express an opinion upon all questions in which naval architecture might form a prominent feature—as, indeed, it must do, a ship being, to a very great extent, as described by the noble Lord opposite (Lord Sudeley), a floating gun carriage. For this reason, it was not intended to appoint a naval architect as a member of the Committee. The Government certainly would not feel bound to refuse to employ a man because he might have turned his attention to invention. He thought their Lordships would agree with Her Majesty's Government that it would be very unwise to say to a man—"No, we cannot employ you. You are an inventor." Why, everyone who turned his attention to any particular subject was an inventor. An inventor was a man who endeavoured to suggest improvement; and it seemed to him that was the very man to have upon a Committee of this kind—though, at the same time, it was not desirable that any member should have a personal or pecuniary interest in any of the great inventions connected with heavy ordnance, or, indeed, any personal interest in any particular invention. With regard to the latter part of the Question, it was intended that the Committee should make their Reports direct to the Admiralty and to the War Office; and they would consider how far it might be for the public benefit that these Reports should be made public. It was obvious that it would not be desirable that all Reports should be considered public property; for their Lordships must remember that information given to the public was not given to the public of this country only, but to the whole world. For instance, suppose some grave defect was found in our mode of arming our ships or our forts. It would not be desirable that we should publish that fact to the world—especially when it might take years to remedy that defect. And, in the same way, if we discovered some great improvement that could be applied either to the manufacture or to the working of our guns—or, indeed, to any other matter connected with heavy ordnance—it would be most undesirable that we should at once proclaim that discovery upon the housetop, and so give the benefit of it to the world. The question, therefore, of making the Reports public would rest entirely with the Admiralty and the War Office. The inventors whose inventions were under investigation and trial were, of course, in a different position; they were "persons directly affected," and they would probably be made aware of the Report of the Committee, although the public in general might not be. He had so far merely attempted to give a rough outline of what it was proposed the duties of the re-constituted Committee would consist of. There might be—and he need scarcely say there probably would be—many matters of more or less importance that would have to be considered. The authorities were fully alive to the great importance of the subject; and in re-constituting this Committee they would spare no pains to make it as good, as effective, and as valuable as possible.

The Duke of SOMERSET said, that he understood the object of the appointment of the Committee was that the Naval Profession and the public at large should be able to entertain a well-grounded confidence in the large guns in use in the Navy; and that another object in view was to inquire generally into the question of the construction of our heavy armaments, with a view to ascertain whether a better class of guns than were now in use could be provided. The deplorable explosion on board the *Thunderer*, to which he (the Duke of Somerset) called the attention of the House the other day, showed how important it was that the manufacture of our guns should be looked into, and he alluded to this question of guns because he had had experience of the former breech-loading guns, and knew how defective they were. But with the experience they had since had of improvements in construction, he was inclined to think that a better class of breech-loaders could now be made than the guns at present in use, which he confessed he believed to be defective in the metal, in the mode of rifling, and in construction generally. This opened a large subject of inquiry; and, therefore, what he desired to know was, whether the Committee that was to be appointed would be empowered to re-open the whole question of the construction of the guns now in use in the Navy—in fact, whether it would be competent to the Committee to begin the work *de novo?*

Viscount CRANBROOK said, he could assure the noble Duke that the Government intended the investigation should be of the most thorough and searching character.

SOUTH AFRICA—TELEGRAPHIC COMMUNICATION WITH THE CAPE.

QUESTION.

Viscount TEMPLETOWN asked the Under Secretary of State for the Colonies, What progress has been made towards carrying out telegraphic communication with the Cape of Good Hope?

Earl CADOGAN, in reply, said, that as the negotiations between the Treasury and the Eastern Telegraph Company and the Telegraph Construction and Maintenance Company were still in progress, he could not make any statement further than to say that the moment the negotiations were completed he would lay the Papers relating to it on the Table of the House.

TREATY OF BERLIN—TURKEY AND GREECE—THE NEGOTIATIONS.

OBSERVATIONS. QUESTION.

The Marquess of LANSDOWNE, in asking the Question of Her Majesty's Government of which he had given Notice, with reference to the progress of the negotiations between Turkey and Greece for the rectification of the Frontier, said, he knew that there were not at the present moment sufficient materials before their Lordships to enable them to enter on a full discussion of the subject, nor was his Question intended to provoke one. But it seemed to him that, before their Lordships separated, it would be convenient to ask the noble Marquess the Foreign Secretary whether he was able to give them—even in the most general terms—some information with regard to the progress of the negotiations between Turkey and Greece. Their Lordships would remember that there was a stipulation in the 13th Protocol of the Treaty of Berlin for the rectification of the Frontier of the two countries. It was provided by the Treaty that the future boundary between Turkey and Greece should be left to be decided by the two countries; but it was suggested that, in the event of their being unable to agree, the Great Powers which were represented at the Congress should offer their mediation in the matter. This was reserved as a right to those Great Powers. Nine months had elapsed since the Treaty of Berlin was executed, and during that period we had had no official information as to the progress of those matters. There was the greatest unanimity on the part of the Plenipotentiaries that Greece should receive some accession of territory. That was proposed, in the first instance, by the Plenipotentiary for

France, but it was agreed to by the other Plenipotentiaries. If he remembered rightly, the noble Earl the Prime Minister expressed the opinion that the existing Frontier was a danger and a disaster, not only to Greece, but to Turkey as well; and he expressed a conviction that the Sultan would be induced to accept an equitable solution of the Frontier question. What he now wanted to ask the noble Marquess was, whether he could hold out any hope that an equitable solution of the question was approaching? They had no official information with regard to the matter; but there had been disquieting rumours which did not point to the negotiations proceeding satisfactorily. He had read in one report that the Turks were fortifying positions on the Greek Frontier. Anyone who had watched the course of events in Eastern Europe must feel that if this question was to be settled, it could only be by the resolute guidance of the Great Powers. He therefore hoped that, if Turkey and Greece had not been able to come to terms, Her Majesty's Government would use their endeavours to induce the Sultan to comply with the wish of the Great Powers as expressed at the Congress of Berlin. The noble Marquess then asked the Secretary of State for Foreign Affairs, Whether he is able to give the House any information with regard to the progress of negotiations between Turkey and Greece for the rectification of their Frontier in accordance with the 13th Protocol of the Berlin Congress; and whether, if those negotiations have not yet resulted in a satisfactory settlement, Her Majesty's Government consider that the time has arrived for the mediation contemplated by section 24. of the Treaty of Berlin?

THE MARQUESS OF SALISBURY: My Lords, no doubt the noble Marquess is right in saying that negotiations have been going on between Turkey and Greece, in accordance with the Article of the Treaty of Berlin, for several months. He seems to think that a long time has elapsed without a settlement having been arrived at. According to my experience of Oriental negotiations, I should be inclined to differ from him on that point, for I have known matters of far less importance take considerably more time. But whether any equitable solution is at hand or not must, of course, depend very much on the meaning which each party attaches to these words. Turkey, I believe, is prepared to admit that the present Frontier is not satisfactory; but what precise line is to be adopted for the future is a point on which, up to this moment, the two Powers have not been able to agree—and, undoubtedly, at the present time the prospect of a settlement is not very near. It is not possible for me to go into very close details on the subject, because it is at this moment a matter of communication between the Powers, and I might be prejudicing the negotiations if I were to make any public statement going very minutely into the matter. I shall merely say that the attitude of Her Majesty's Government is precisely that which they adopted at Berlin. It is in no respect changed. We continue to advise the Porte; but whether our advice should take the form which the noble Marquess suggests, of "resolute guidance," is a point respecting which I should rather wait for a more clear definition of what is meant by the term before I answer the Question. Advice is one thing; but "resolute guidance" smacks of saltpetre. I am not prepared to say we have arrived at that point yet. I shall only say that our intention is a sincere one to bring about a settlement of this matter; and, in my judgment, the chances of a satisfactory settlement will be greater when the present pressure on another Frontier of Turkey shall have been removed, and that Greece rather than Turkey gains by the delay.

THE MARQUESS OF BATH said, he did not see what difficulty there could be in defining what would be an equitable settlement between Turkey and Greece. How was it possible that Her Majesty's Government could expect to see the Treaty of Berlin carried out when, with cruel cynicism and contempt for engagements to which they themselves were more or less a party, they were prepared to see a settlement of the Frontier between Turkey and Greece put off till "the present pressure was removed from another Frontier of Turkey."

THE MARQUESS OF SALISBURY: I think the noble Marquess could not have exactly heard what I said. I said that Her Majesty's Government now entertain precisely the same opinions which they professed at Berlin.

The Earl of KIMBERLEY said, he did not think the explanation of the noble Marquess quite satisfactory. He presumed that at the Congress it was understood that only a reasonable period should be allowed for those results. The question of the rectification of the Turco-Persian Frontier had lasted a quarter of a century; and he believed it was not yet settled. If the noble Marquess meant that the negotiations between Turkey and Greece were to be of the same character and duration, then it would not be too much to say that the Treaty of Berlin would be a mere mockery.

The Earl of BEACONSFIELD: My Lords, Greece has at no time treated the recommendatory intimations in the Treaty of Berlin with regard to its Frontier as at all binding on the Signataries to that Treaty. The noble Marquess who sits on this side of the House (the Marquess of Bath) was not justified in assuming the contrary. All that was intended by the notice given by the Plenipotentiary for France as to what would be the materials of a satisfactory settlement was accepted by the other Powers in that spirit; and nearly at the end of the Congress, when the President wound up the subject which has been noticed to-night in this House, he particularly stated that no Power was bound by the suggestion which had been made by the French Plenipotentiary, and certainly not Turkey. It was a suggestion which was to guide Turkey as to the general feeling of the Signataries to the Treaty. The noble Earl (the Earl of Kimberley) must not suppose that in the nine months which have elapsed nothing has been done. On the contrary, there have been frequent communications, suggestions, and proposals made both to Turkey and to Greece in the spirit of the Treaty of Berlin; and I am not at all prepared to say that there has been any fault on the part of the Government in the matter. There are four or five questions as regards boundaries which are still under discussion, and the noble Earl must know that the settlement of one must, in a certain degree, forward the settlement of another. All I can say is that there has been no extraordinary delay in the negotiations which have occurred on the subject of the Greek Frontier. They have engaged the early and frequent attention of the Signatary Powers. I myself do not take at all a gloomy view of the subject. I think there are modes by which a fair adjustment may be made, by which Greece may obtain that to which, under all the circumstances, she is entitled, and which the Porte may grant without any feeling of humiliation on its part, or without consenting to a settlement injurious to the interests of Turkey.

COURTS OF JUSTICE BUILDING BILL [H.L.]

A Bill to amend the Courts of Justice Building Act, 1865—Was *presented* by The Lord Chancellor; read 1ª. (No. 44.)

COUNTY COURTS BILL [H.L.]

Select Committee on: The Lords following were named of the Committee:

Ld. Chancellor.
M. Lansdowne.
E. Powis.
E. Morley.
V. Cranbrook.
L. Brodrick.
L. Hatherley.
L. Penzance.
L. Selborne.
L. Winmarleigh.
L. Blackburn.

House adjourned at Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 3rd April, 1879.

MINUTES.] — Select Committee — Wine Duties, *appointed* and *nominated;* Commons, Mr. Fawcett *discharged*, Mr. Shaw Lefevre *added;* Lighting by Electricity, *nominated.*

Ways and Means—*considered in Committee*—Resolutions (Financial Statement).

Public Bills—*Resolution in Committee—Ordered—First Reading*—Pier and Harbour Orders Confirmation (No. 1) * [118].

Ordered—First Reading—Criminal Code (Indictable Offences) [117].

Second Reading—Assessed Rates Act Amendment * [113].

PARLIAMENT—CLARE COUNTY WRIT.

REPORT OF SELECT COMMITTEE.

Mr. Secretary CROSS *reported* from the Select Committee on Clare County Writ, That they had considered the matters to them referred, and come to the following Resolutions, which they had directed him to report to the House, together with the Minutes of the Evidence taken before them, and an Appendix.

> "That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf.
>
> "That Sir Bryan O'Loghlen has since his Election for the county of Clare accepted the said office, and has thereby in the opinion of the Committee vacated his seat."

Report to be considered upon *Monday* next, and to be *printed.* [No. 130.]

QUESTIONS.

POOR LAW (IRELAND)—CAVAN WORKHOUSE.—QUESTION.

Mr. A. MOORE asked the Chief Secretary for Ireland, Whether the attention of the Local Government Board for Ireland has been called to the evidence of Mary Eliza Kenny, nurse in the Cavan Workhouse, before the Poor Law Inquiry Commissioners, in which she stated that, owing to want of room, she had been obliged to put sick persons two in a bed; that she had, a few days previously, two children afflicted with itch in one bed; and, whether the Local Government Board have remonstrated with the Guardians on the subject or taken any action in the matter; and, if so, what is the date of the first of such communications?

Mr. J. LOWTHER: Sir, I find that the Guardians of the Union referred to appointed a committee to inquire into this subject, and they took the evidence of their medical officer. I was surprised to find that the medical officer appeared to be of opinion that the practice alluded to was a legitimate one; and I was still more astonished to find that the committee itself did not consider such proceedings reprehensible. I will, however, bring the matter again under the notice of the Guardians.

TREATY OF BERLIN—EASTERN ROUMELIA—JOINT OCCUPATION.

QUESTION.

Mr. CHAMBERLAIN asked Mr. Chancellor of the Exchequer, Whether he can now give the House any information as to the reported agreement for a joint occupation of Eastern Roumelia by the troops of several of the great European Powers; and, whether the Government are willing to undertake that this Country shall not be committed to share in such occupation until the House has had an opportunity of discussing the proposal?

The CHANCELLOR of the EXCHEQUER: Sir, I mentioned some short time ago that communications were going on upon this subject, and I can only add at present that nothing is yet settled. The policy of the Government on this subject was declared by our Plenipotentiaries at the Congress of Berlin. They did not propose such a measure as a joint occupation, but they were willing to accept it and join in it if it seemed likely to tend to the maintenance of tranquillity and to avert the renewal of conflicts between hostile races and creeds in that Province. That is the opinion which Her Majesty's Government still hold. The Sultan considers that he has full power to keep order in the Province; but we are naturally anxious that all steps should be taken which will avert the risk of bloodshed in the Province. I cannot add more at present. I am afraid I cannot give the undertaking which the hon. Gentleman asks for; although it is quite competent for him to call attention again to the subject.

CEYLON—FOOD TAXES.—QUESTION.

Mr. POTTER asked the Secretary of State for the Colonies, If he will inform the House what changes, if any, have recently been made in Ceylon in the amount of taxation on home grown and imported grain; and, whether the system of farming the paddy tax has been entirely abolished, and what plan for the collection of the revenue derived from the tax has been substituted?

Sir MICHAEL HICKS-BEACH: Sir, no change has been recently made in the amount of taxation levied on grain in Ceylon, though an important change has been introduced in the mode of collecting that taxation which may result in some small diminution of the amount received. An Ordinance has recently been passed and sanctioned for the entire abolition of the farming system, which will be brought into effect district by district, according as the necessary information is obtained and the necessary machinery provided. This Ordinance provides three modes of commuting the tax—first, by a fixed annual payment; second, by a fixed sum payable only in those years, when the land produces a crop, in order to meet the case of certain districts where there is a want of irrigation; and third, applying only to dry grain, by a sum varying with the estimated value of the crop, and payable only when the land produces a crop. Of course, it is intended that the first plan shall be that generally adopted.

INLAND REVENUE—TEA DUTY.

QUESTIONS.

Mr. CHILDERS asked Mr. Chancellor of the Exchequer, What is the average amount of the Customs Duty received on Tea during a fortnight; and, what was the amount of such Duty received during the last fortnight of March 1879?

The CHANCELLOR of the EXCHEQUER: Taking the receipt of duty for the year just concluded, the average fortnightly receipt is £163,512, whereas the actual receipt within the last fortnight has been £474,213. I ought to add that in the last fortnight of the preceding year there was a very large extra receipt of tea duty, amounting to £258,989.

Mr. CHILDERS: May I be permitted to ask, Whether the large extra receipts last year were not then alluded to as occurring in consequence of the proximity of the Budget and the expectation of an increase of duty?

The CHANCELLOR of the EXCHEQUER: Certainly. I should think most people would know when there was an expectation of an increase of duty there is a rush to get that particular article out of bond.

GAME LAWS (SCOTLAND).

QUESTION.

Colonel MURE asked the Lord Advocate, Whether it is the intention of Her Majesty's Government to amend the Scotch Game Law, in consequence of the recent poaching case in Renfrewshire?

The LORD ADVOCATE (Mr. Watson): Sir, it is our intention to introduce a Bill very shortly for the purpose of mitigating penalties applicable to such cases as that to which the Question of my hon. and gallant Friend refers.

NEW GUINEA.—QUESTION.

Mr. HEYGATE asked the Secretary of State for the Colonies, Whether Sir Arthur Gordon, the Governor of Fiji, has submitted to Her Majesty's Government any recommendation with regard to the establishment of a Protectorate over the Island of New Guinea; and, if so, whether Her Majesty's Government is prepared to take any steps with a view to carry out such recommendation?

Sir MICHAEL HICKS-BEACH: Sir Arthur Gordon has not recommended the establishment of a Protectorate over the Island of New Guinea, nor do we propose to take any such step. What has occurred in the matter is this. My attention was called some months ago to the several gold mining expeditions which had gone to New Guinea during the past year from the Australian Colonies and to the difficulties which might arise from the absence of any legally-constituted authority for maintaining order among the British subjects engaged in such expeditions and controlling the relations between them and the Natives. I consulted Sir Arthur Gordon whether it might not be necessary to appoint a Deputy Commissioner to reside in New Guinea for this purpose, as has already been done in other Islands in the Pacific. In reply, he pointed out certain practical difficulties in the exercise of jurisdiction by a Deputy Commissioner in this case unless the settlement where it was exercised was proclaimed to be British territory. There appeared to me to be grave objections to this course; but it is not necessary even to consider it now, as we have recently heard that the mining expeditions have almost entirely failed, and, therefore, probably what is required may be effected by arranging that the coast shall be periodically visited by a ship of war. But Sir Arthur Gordon will shortly return to Fiji, and has been instructed to inquire into the matter on the spot and make such recommendations as he may consider necessary.

CUSTOMS AND INLAND REVENUE ACT, 1878—DOG LICENCES.—QUESTION.

Sir DAVID WEDDERBURN asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to the fact that graziers, butchers, and dairymen are held liable to pay for dog licences, even when they keep dogs solely for use in tending sheep or cattle, while farmers and shepherds in the same circumstances are exempted; and, whether he will consider the question of so amending section 22 of "The Customs and Inland Revenue Act, 1878," as to place all persons who keep dogs solely for use in tending sheep or cattle upon an equal footing?

THE CHANCELLOR OF THE EXCHEQUER: Sir, this point was carefully considered when the dog licence was under our review, and it was found impossible to extend the exemptions to dogs of the class referred to. There must be some limit to the exemption of dogs, and it was thought a very marked distinction existed between the dogs employed by farmers, shepherds, and others, and those which often are allowed to wander about, and in respect to which it would be difficult to be quite sure whether they were employed in any useful occupation.

GREAT BRITAIN AND TURKEY—THE CONVENTION OF DEFENSIVE ALLIANCE—THE ISLAND OF CYPRUS.

QUESTION.

MR. DODSON asked the Under Secretary of State for Foreign Affairs, with reference to the Annex to the Convention of Defensive Alliance between Great Britain and Turkey, and to the Correspondence respecting the addition of an Article relating to the payment or otherwise of compensation by the Ottoman Government for money expended by Her Majesty's Treasury on public works and improvements in Cyprus on the evacuation of the island by the British (Papers, Turkey, Nos. 36 and 43, Session 1878), What agreement has been arrived at; and, whether he will lay a Copy of the Document containing such Agreement upon the Table of the House?

MR. BOURKE, in reply, said, that the suggestion of the Turkish Government which was referred to had not been acceded to, and therefore no agreement had been arrived at, and there was no Correspondence subsequent to what had already been published on the subject.

CUSTOM RE-ORGANIZATION SCHEME.

QUESTIONS.

MR. RITCHIE asked the Secretary to the Treasury, Whether the questions recently referred to by him as delaying the issue of the scheme for the re-organisation of the Customs have yet been settled; and, if not, whether he can state when they are likely to be settled, and the long delayed scheme issued?

MR. J. HOLMS asked the Secretary to the Treasury, Whether, as part of the scheme for the reorganisation of the Customs Department, the principle of which has already been decided upon by the Treasury, it is still the intention of the Government, as announced on the 27th of June last, to offer the terms of retirement under the Superannuation Act of 1859; and, if so, whether for the convenience of those who might wish to retire from the service, the Treasury could give an early notification to that effect to the Department?

SIR HENRY SELWIN-IBBETSON, in reply, said, that the details connected with the scheme of organization had not yet been settled; but he hoped before long to be able to announce that the scheme had been approved of, and that it would be carried out. In answer to the second Question, the re-organization of the Department would not necessarily involve any retirement, and there was no intention on the part of the Board of Customs to recommend the granting of special allowances on retirement.

ARMY—WIDOWS OF SOLDIERS KILLED IN ACTION.—QUESTION.

MR. R. W. DUFF asked the Secretary of State for War, Whether it is true, as stated by a military correspondent of the "Times" of the 28th March, that widows of soldiers who are killed in action are not entitled to any pension from the State; and, if so, whether it is the intention of the War Department to make any provision for the widows and families of the men who lost their lives at Isandlana and Rorke's Drift?

COLONEL STANLEY: Sir, in answer to the hon. Member, I have to say that the widows and children of the soldiers in question are not entitled to any provision from the State, and that I am unable to propose any regulation to the Government on their behalf. But provision has before now been made from the Patriotic Fund, and communications have been going on with the manager of that Fund, in order to see whether its provisions can be extended to those cases. I am sorry that there are some technical difficulties in the way, and that I cannot give a more positive answer at the present time.

GRAND JURY LAW AMENDMENT (IRELAND BILL.—QUESTION.

Mr. M. BROOKS asked the Chief Secretary for Ireland, Whether he intends to bring in the Irish Grand Juries Bill before the Easter Holidays?

Mr. J. LOWTHER: Sir, I had hoped to have been able to introduce the Grand Jury Bill before Easter; but I have just recently ascertained that it would meet the convenience of hon. Members from Ireland, many of whom are leaving London, if I postponed the introduction of the Bill until after Easter.

REGISTRATION OF BIRTHS, &c. (IRELAND) BILL.—QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, Whether the subject of the Amendment of the Law relating to the Registration of Births and Deaths in Ireland has been considered by the Public Departments having charge of such questions; whether the principle of the Bill read a first time in the House of Lords in 1876 has been approved of by such Departments; and, whether the Government intend to introduce any measure on the subject during the present Session; and, if so, when will a Bill be introduced?

Mr. J. LOWTHER: Sir, this subject is at present engaging the attention of the Government. Lord Donoughmore's Bill of 1876 has been considered by the Departments concerned, which have approved its main principles; but there are many details connected with the subject which require consideration, and I am therefore unable to say when a Bill will be introduced.

EDUCATION IN MALTA.—QUESTION.

Mr. W. H. JAMES asked the Secretary of State for the Colonies, Whether Mr. Keenan's report on the Education Department in Malta has been received; and, if so, if there be any objection to lay it upon the Table?

Sir MICHAEL HICKS-BEACH: Sir, I have not yet received Mr. Keenan's Report. That gentleman informs me that his duties as Resident Commissioner of National Education in Ireland have recently been exceptionally heavy, and that he has in consequence been obliged to delay the completion of his Report.

FINANCIAL ACCOUNTS—INCOME AND EXPENDITURE, 1879.

QUESTION.

Mr. WADDY asked Mr. Chancellor of the Exchequer, Whether the "Account of the Gross Income and Expenditure for the year ending 31st March 1879," presented pursuant to the Act 38 and 39 Vic. c. 45, s. 4, can be presented to the House so soon as to be printed and delivered to honourable Members before the adjournment of the House for the Easter Recess?

The CHANCELLOR of the EXCHEQUER, in reply, said, that the Account referred to by the hon. and learned Member could not be delivered before Easter, because the Act allowed the Treasury 15 days after the close of the year to make it up, and it had then to be submitted to the Controller and Auditor General.

CRIMINAL LAW (IRELAND)—CONVICTION OF PETER BRENNAN.

QUESTION.

Mr. PARNELL asked the Chief Secretary for Ireland, Whether the jury who convicted Peter Brennan of perjury at Drogheda afterwards forwarded a memorial to the Lord Lieutenant asking for a sworn inquiry, and stating that Brennan was convicted wrongly, owing to the informations against him not having been laid before them at the trial; and, if so, whether the Government will grant an inquiry into Brennan's case?

Mr. J. LOWTHER: Sir, representation was made to the Lord Lieutenant in this matter. It was referred to the Judge who tried the case, and, acting on his advice, it has been decided that no further steps shall be taken.

CRIMINAL LAW (IRELAND)—PRISONERS.—QUESTION.

Mr. O'SULLIVAN asked the Chief Secretary for Ireland, Whether the constabulary authorities demanded the sum of £226 from the Grand Jury of Limerick County at last Spring Assizes for the arrest and conveyance of prisoners in that county; and, if so, if it is true that over fifty pounds of that sum was charged for arresting a man named Ryan, who has never been arrested?

Mr. J. LOWTHER: Sir, I am informed that a sum of £226 odd was demanded from the Grand Jury, though I have not yet been able to make the local inquiries necessary to enable me to say whether the item of £50 which is mentioned was included in it. Assuming it, however, to be correctly stated, I cannot see that there is anything to be said against its inclusion, as manifestly the cost of measures taken with a view to securing an arrest are equally legitimate whether the result aimed at be eventually attained or not.

PUBLIC HEALTH (IRELAND)—CONVEYANCE OF FEVER AND SMALLPOX PATIENTS.—QUESTIONS.

Mr. PARNELL asked the Chief Secretary for Ireland, If his attention has been called to an article in the "Freeman's Journal" of the 3rd March, complaining of the mode of conveying fever and smallpox patients from the country districts to the workhouse hospital at Baltinglass; and, whether the mode adopted, viz., conveyance on open cars, is not a violation of the provisions of section 140 of "The Public Health (Ireland) Act, 1878;" and, if so, whether the Local Government Board will give directions to the guardians of the Baltinglass Union to carry out the provisions of that section?

Mr. J. LOWTHER: Sir, my attention has been called to this matter, and the practice referred to certainly appears very objectionable. I am glad, however, to find that the Guardians have taken steps for purchasing two vans for the purpose.

Mr. PARNELL asked the right hon. Gentleman, Whether horses have been purchased to draw the vans?

Mr. J. LOWTHER: No, Sir, they have not purchased any horses; but I understand they have made arrangements for hiring them when required.

SALMON FISHERIES ACT, 1873.

QUESTION.

Mr. BLAKE asked the Secretary of State for the Home Department, Whether the Salmon Fisheries Act, 1873, which first gave power to boards of conservators to frame bye-laws, provides that those who pay licence duties for fishing "common" waters shall have the right to elect a representative member to the fishery board of their district; and, if so, whether he can explain why the licensed fishermen of the "common" fishery of Hoarwithy in the River Wye have never elected a representative to the Wye Fishery Board; and, whether the Home Secretary will take care that these "common" water fishermen shall in future be permitted to exercise and enjoy the right of election conferred upon them by the Legislature?

Mr. ASSHETON CROSS, in reply, said, this was a peculiar case, and he understood that the right to fish in the Hoarwithy Water was given up on condition that all the salmon caught should be publicly exposed for sale on the highway for the benefit of women who were ill in child-bed. It was doubtful whether the fishermen were entitled to elect a representative, and this could not be settled until a Court of Law had decided whether this place was a fishery in the true sense or not.

ENDOWED SCHOOLS COMMISSION (IRELAND).—QUESTIONS.

Mr. CALLAN asked the Chief Secretary for Ireland, Is it a fact that on the Royal Commission to inquire into the Endowed Schools Act in Ireland there has been no Catholic having a residence in Ireland named as Commissioner; if he would state what are the names of the Commissioners who have been appointed, and how many of them are of the religion of the minority in Ireland; is it a fact that the Secretary appointed to the Commission has been, and still is, one of the Conservative agents for registration purposes in the city of Dublin; and, whether it is usual to appoint a person holding the latter appointment Secretary of a Royal Commission?

MR. J. LOWTHER: Sir, the names of the Commissioners are Lord Rosse, Lord Randolph Churchill, M.P., Lord Justice Fitzgibbon, Mr. Richard O'Shaughnessy, M.P., Mr. William Wilson, M.P., Mr. Andrew Searle Hart, LL.D., Vice-Provost of Trinity College, Mr. Arthur Hill Curtis, LL.D., Professor at Queen's College, Galway. I believe that one of these gentlemen is a member of the Roman Catholic body, the rest being members of the Irish Church or of other Protestant communions. As to the secretary, Mr. Meredith, he is a gentleman who resides in Dublin, and I understand that although he has taken an interest in registration proceedings he has not been professionally engaged in them.

MR. CALLAN: May I ask, Is it a fact that Mr. Meredith has for the last three years acted continuously and without remuneration in connection with the registration under the Municipal and Parliamentary franchise in Ireland?

MR. J. LOWTHER: Sir, probably he has attended in the manner the hon. Gentleman states; but I understand that his action in the matter has been from love of the cause, and that he has not been engaged in any professional capacity.

INCOME TAX—BRIGHTON—SCHEDULE D.—QUESTION.

MR. ASHBURY asked Mr. Chancellor of the Exchequer, Whether he can state to the House the number of persons paying Income Tax (Schedule D) in the borough of Brighton, and the number of surcharges of those who made returns, and the amount of such surcharges?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the number of persons assessed under Schedule D of the income tax at Brighton is 3,121. Of these, 1,451 have been surcharged by the Local Commissioners; 1,190 acquiesced in the surcharge, and 261 appealed. On appeal, 93 assessments were confirmed, 132 were partially confirmed, and 36 were wholly discharged. The total amount of the increased assessment made by the Local Commissioners was £207,007, of which £166,329 remained assessed after all appeals had been heard.

PUBLIC BUSINESS—EAST INDIA LOAN BILL.—QUESTION.

In reply to Mr. GOSCHEN,

MR. E. STANHOPE said, it was not intended to proceed with the East India Loan Bill before Easter, but that the earliest convenient opportunity of doing so after Easter would be taken.

RELIGIOUS OUTRAGES (IRELAND).

QUESTIONS.

MR. JOHN GEORGE MACCARTHY wished to ask the Chief Secretary for Ireland a Question, of which he said he had given him private Notice. It was, Whether it was true that attempts had been made since the present month began to burn a Protestant school in the district of Connemara, county Galway, whereby lives were endangered, and whether a large force of constabulary had been sent to the spot?

MAJOR NOLAN asked the right hon. Gentleman to state at the same time, Whether it was true that a Roman Catholic clergyman had been beaten in the same district?

MR. J. LOWTHER: I am sorry to say it is true that outrages have occurred in Galway which have necessitated the despatch of a considerable body of constabulary to the scene. With regard to the Question of the hon. and gallant Member for Galway (Major Nolan), I regret to say that the name of a clergyman has been mentioned in connection with the matter, and that he is alleged to have taken part in the disturbances. As the subject is under judicial investigation, it would not be proper for me at present to express any opinion upon it.

PUBLIC BUSINESS—THE EASTER RECESS.—QUESTION.

In reply to Mr. DILLWYN,

THE CHANCELLOR OF THE EXCHEQUER said, it had originally been intended that the House should rise on Tuesday for the Easter Recess, which he was sorry to say would have to be a very short one. Since then it was thought that the second reading of the Army Discipline Bill might be concluded on Monday, and that the House might have risen on that evening. As, however, it appeared that the hon. Member for Hackney (Mr. Fawcett) and the hon.

Member for Swansea (Mr. Dillwyn) intended to raise important questions of foreign policy on the Motion for the adjournment, and as it would be manifestly impossible to get through the debate on the Bill and the debate on their proposals in one night, he feared the Government would be forced to adhere to their original intention of adjourning on Tuesday. It was really of great importance that the House should get through the second reading of the Army Discipline Bill. He would, however, make a positive announcement on the subject to-morrow.

Mr. DILLWYN said, he had no intention of raising any question whatever on the Motion of adjournment.

Mr. FAWCETT said, there was nothing he should regret more than to be responsible for keeping the House sitting, and if any arrangement could be made which would render that course unnecessary, he would be very glad to fall in with it. His sole object in raising the discussion which he proposed to raise was that an advance to Cabul should not be undertaken before the House had an opportunity of discussing the policy of the Government in Afghanistan, and if, therefore, the Chancellor of the Exchequer would give an assurance to that effect to-morrow—[" Oh, oh ! "]—he thought it was not an unreasonable request—he should have great pleasure in withdrawing his Notice, and then the House might adjourn on Monday.

TURKEY—CHEFKET PASHA.

QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, with reference to the appointment of Chefket Pasha to a command at Monastir (see Blue Book, No. 2205, Despatch No. 198), Whether Her Majesty's Government have made any further remonstrance against his employment at that place in the heart of the country of the Western Bulgarians, and within the limits of West Bulgaria, as defined by Lord Salisbury when at Constantinople ?

Mr. BOURKE, in reply, said, that since Chefket Pasha had been removed to Monastir, Her Majesty's Government had heard no complaints against him. Therefore, no further remonstrance had been made by Her Majesty's Government. He wished the hon. Member had quoted the remonstrance made when Chefket Pasha was sent to Salonica, because that remonstrance was couched in the strongest possible manner.

ARMY—MILITIA OFFICERS APPOINTED TO THE LINE.—QUESTIONS.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether the Subalterns of Militia appointed to the Line by the Gazette of the 21st February 1879, and subsequent Gazettes, had passed through the "competitive examination on military subjects amongst themselves" enjoined and required by the Special Circular of the 2nd March 1878 (Clause 29, Auxiliary and Reserve Force Circular of 1878), or whether they were appointed by selection; and, if the latter, whether he will explain to the House the principle upon which this selection was made, and the reasons why the regulations contained in the above Circular were departed from ?

Colonel STANLEY : Sir, none of the subalterns in question passed the competitive military examination, which is a new examination, and additional to all those they had hitherto undergone; but in all other respects they were fully qualified for competition. When the reinforcements for the Cape were placed under orders in February, the necessity for the completion of the establishments was very urgent, and the only candidates immediately available for first appointments for the regiments were the lieutenants of Militia referred to; but they have served the required time in the Militia, and passed the preliminary examination as candidates for the competitive military examination in June next. All Militia candidates so situated have been appointed to the Line, and nearly all of them embarked for the Cape on the shortest notice. It was thought better to select those Militia candidates than to fill the vacancies by appointing young men from Sandhurst who had not yet completed their regular course of military study.

Sir HENRY HAVELOCK asked on what principle the candidates were selected for service at the Cape ?

Colonel STANLEY : All who were qualified were selected.

TREATY OF BERLIN—EASTERN ROUMELIA—THE FRENCH COMMISSIONERS.—QUESTION.

MR. OTWAY, who had a Question on the Paper to ask, Whether the joint occupation of Eastern Roumelia has been accepted in principle by the Powers parties to the Treaty of Berlin; if so, by which Powers will the occupation be carried into effect, and by what number and proportion of troops of each Power? said, he would not put that interrogation, as it had already been answered by the Chancellor of the Exchequer in reply to the hon. Member for Birmingham (Mr. Chamberlain). He would, however, put the following Question, of which he had given private Notice to the Government:—Whether any communications have been addressed to Her Majesty's Government relating to the action on the part of the French Ambassador at Constantinople or the French Commissioners in Eastern Roumelia, opposed to the policy of Her Majesty's Government in that part of Turkey; and whether it is true that one of the French Commissioners had been making a tour of the province in company with a general officer, and that they were received by the populace with cries of "Vive la France;" and whether the course pursued by the French Ambassador has met with the approval of the French Government?

MR. BOURKE: Sir, in reply to the Questions which my hon. Friend has placed on the Paper, I cannot do more than refer him to the answer of my right hon. Friend the Chancellor of the Exchequer, in reply to the hon. Member for Birmingham, and that is, that nothing is settled upon either of the subjects mentioned in these Questions. Therefore, it would be impossible for me to make any statement on them at present. With regard to the last Question, I have to say that my hon. Friend has been kind enough to refer me to *The Morning Post*, which contains a telegram on which the Question is founded. I think the best answer I can give is to state that Her Majesty's Government are in perfect accord with the Government of France on all these points. Therefore, I do not think it would be convenient that I should notice any proceedings or alleged proceedings of the French diplomatic agents abroad, so long as we are in accord with the Government of France on the subject.

AFGHANISTAN—THE WAR—THE 10TH HUSSARS.—QUESTION.

MR. FORSYTH asked the Under Secretary of State for India, Whether he has received any further information respecting the accident to the 10th Hussars in crossing the Cabul river?

MR. E. STANHOPE: Sir, the telegram which the Viceroy sent has been already published in the newspapers, and all that we have received to-day concerning this unfortunate event is that—

> "Full details not yet received. Nineteen bodies recovered. Lieutenant Harford and 27 men still missing."

CRIMINAL LAW—CASE OF WILLIAM HABRON, CONVICTED OF MURDER.

QUESTION.

MR. CALLAN asked the Secretary of State for the Home Department, If he can inform the House the nature of his recommendation to the Treasury in the case of Habron, and the decision of the Treasury thereon?

MR. ASSHETON CROSS: Yes, Sir. After consultation with the Treasury, it is the intention of the Government in this particular case to propose a Supplementary Vote to Parliament for the sum of £1,000.

SOUTH AFRICA—LORD CHELMSFORD.

QUESTION.

MR. ONSLOW asked the hon. Member for Dundee, Whether, considering that he has no immediate prospect of being able to bring forward his Motion condemning the policy of Lord Chelmsford in South Africa, he intends leaving the Motion on the Paper till after Easter?

MR. E. JENKINS: Sir, I must correct the hon. Gentleman in one respect. I do not propose to condemn the policy of Lord Chelmsford. What I propose to do is to condemn the policy of the Government in regard to the command of the troops in South Africa. The Question is very difficult to answer, because I am quite conscious of the very great inconvenience caused by keeping on the Paper a Motion reflecting on the conduct of a General Officer. On the other hand, I am animated by the usual anxiety of hon. Members on this side of the House to assist Her Majesty's Government in every possible way; and as the right hon. and gallant Gentleman the Secretary of State for War said the other evening that he would leave his defence of the conduct of the Government with reference to Lord Chelmsford till the Motion referred to came on, the necessity is imposed upon me of bringing it on whenever I have an opportunity. I can only answer the hon. Member, therefore, by saying that I am not in a position to answer his Question.

ORDERS OF THE DAY.

ARRANGEMENT OF PUBLIC BUSINESS.

THE CHANCELLOR OF THE EXCHEQUER moved—

> "That the Orders of the Day subsequent to Ways and Means be postponed until after the Motion for leave to bring in the Criminal Code (Indictable Offences) Bill."

MR. O'DONNELL suggested that an opportunity should be given for a discussion of the Land Question as affecting Great Britain and Ireland.

Motion *agreed to.*

ORDERS OF THE DAY.

WAYS AND MEANS — FINANCIAL STATEMENT.—COMMITTEE.

WAYS AND MEANS — *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Mr. Raikes, Sir, before I draw the attention of the Committee to the Statement which I have now to lay before them, I hope the House will allow me to take the opportunity of returning my thanks generally to the numerous correspondents who have addressed me within the last few weeks on the subject of increased taxation. I believe I have received letters from about 300 persons, who have made something like 80 different suggestions in regard to the imposition of taxes, ranging from photographs, bicycles, and chimney-pots, down to cats and bachelors; and have taken very great pains to work out their proposals. I regret that I have not been able to avail myself of their kind assistance.

The Statement I have now to make will, I think, be most conveniently opened by a reference to that which I had to make just a year ago—on the 4th of April, 1878. At that time I stated that I anticipated a Revenue, before making any additions to taxation, of £79,460,000, and that I expected an ordinary Expenditure of £81,020,000, showing a deficit on the estimated ordinary Expenditure of the year of £1,560,000. I had also to provide for a sum of £2,750,000 of Exchequer Bonds, which had been issued in the previous year, 1877-8, in order to meet, to a certain extent, a Vote of Credit for £6,000,000 which had been taken in that year. And I had also to state that there were likely to be calls—the amount of which I could not foresee, but which I estimated at from £1,000,000 to £1,500,000 —in the course of the year for further Military Expenditure. Accordingly, I proposed to the Committee to impose taxes estimated to increase the Revenue to £83,230,000. That would have left a surplus of £2,210,000 over the ordinary Expenditure, out of which I hoped to be able to pay the unascertained calls, which I had estimated at from £1,000,000 to £1,500,000, and to have a margin available to discharge a portion of the Exchequer Bonds. Well, Sir, with regard to these Estimates, the Estimate of Revenue has turned out, on the whole, not very far from correct. The Revenue, which I had estimated at £83,230,000, has actually reached £83,116,000, or, to be strictly accurate, £83,115,972, leaving a deficit of £114,000 only.

Of course, there are explanations upon one or two points with which it is not necessary that I should trouble the Committee. Reference has just been made by the right hon. Gentleman the Member for Pontefract (Mr. Childers) to the great quantity of tea recently taken out of bond; and there are, no doubt, exceptional reasons which have led to rather larger receipts in the year than were properly due to it. On the other hand, we had been robbed in the beginning of the year by a scare which took place in 1877-8, in consequence of which a large amount of tea and spirits, and other articles, were taken out of bond; and probably we lost as much in this way at the beginning of the year as we have made up in the same way now.

Well, so much for the Revenue. With regard to the Expenditure, it has exceeded the original Estimate by no less than £4,388,000; so that in place of a surplus of from £750,000 to £1,250,000, which might have been available to pay off Exchequer Bonds, I find myself with a deficiency of nearly £2,292,000. The Revenue has been £83,116,000, and the Expenditure £85,407,000, making a deficit of £2,291,000, and of course, no Exchequer Bonds have been paid off. I would point out, speaking generally, that this excess of Expenditure has been due, first, to larger calls for Extraordinary Services than I expected; and, secondly, to the Vote which has been taken in respect of the Zulu War. The larger calls for Extraordinary Services were brought under the notice of the House in August last, when I made my second Financial Statement. At that time, I explained to the House what the circumstances were which had arisen since the beginning of the financial year; and I then stated that we should require £3,270,000, instead of the £1,000,000 or £1,500,000 which I had originally anticipated. That sum was almost entirely required for extraordinary Services in the East of Europe; but it included a sum of £344,000 for the Transkei War, which had been going on at the Cape. Then, later in the year, I had also to propose a Vote of Credit in respect of the Zulu War of £1,500,000. These two sums of £3,270,000 and £1,500,000, added together, make £4,770,000, over and above what I estimated at the beginning of the year. The Expenditure, however, only really exceeded the Estimate by £4,388,000, because there was a reduction in the actual ordinary Expenditure, as compared with the estimate, of £382,000.

I will now compare the Revenue which we have actually received in the year 1878-9 with the Estimate formed in the beginning of the year. I compare it, of course, with the Estimate as it stood after the additions which were made to the Income Tax and the Tobacco Duty. The Customs estimate was £20,500,000, the actual Revenue is £20,316,000; and there was a loss, therefore, of £184,000. The Excise was estimated at £27,600,000; it produced £27,400,000, being £200,000 less than the Estimate. Stamps, which were estimated at £10,930,000, produced £10,670,000, or £260,000 less than the Estimate. These are the three heads on which there was a great falling-off. I may, perhaps, before going further, mention what the particular items were upon which the disappointments arose. In the Customs we had estimated that the duty on tobacco would produce £8,750,000, whereas it actually produced only £8,492,000. The net receipt in the previous year was £8,000,000. I expected to get by the addition which was made £750,000, but I only got a little short of £500,000; and that, under the circumstances, was not particularly bad. The fall in the consumption of tobacco was something like 3 per cent. It is said by many persons that the fall in the Revenue from tobacco was due, in some measure, to the extra duty which was placed upon it. I altogether doubt that. I do not think that it was. I believe the falling-off in the Revenue from tobacco was due to the same causes which led to the failure in other articles of general consumption; and I think it will be seen that upon several other articles there was a falling-off quite equal to, and greater than, the falling-off in tobacco. I should like to read a short extract from a very interesting communication which I received the other day from a house of business largely connected with the tobacco trade, and which, I think, supplies the answer to the suggestion that the decrease in the consumption of tobacco is due to the new duty. The writers say—

> "That the decrease in the consumption of tobacco does not proceed from this cause can be easily proved. From midsummer, 1874, to the spring of 1876, the cost of American tobacco, with the duty combined, averaged from 4*s.* to 4*s.* 4*d.* per lb., according to quality, and during this time the consumption steadily increased. From the spring of 1876 to the close of 1877, the combined cost was similar to what it now is, and yet the consumption increased. During the last 12 months, the combined cost of the lowest quality has averaged 3*s.* 10½*d.*, and of the best quality 4*s.* 1*d.* per lb. This shows a difference of 1½*d.* per lb. on the lowest, and 3*d.* per lb. on the best quality, in favour of the consumer as against the period of 1874-6, and proves that the theory that the additional duty is the cause of the decrease in consumption is untenable. We doubt not that you will rightly

ascribe the decreased consumption to the depression of trade throughout the country, but the above facts may be of interest."

The fact is that the price of the article itself has been so very much lower than usual this year that the additional duty has not raised the price to the consumer. I may take this opportunity of referring to a question which raised some little discussion, especially between myself and my hon. Friend the Member for the Tower Hamlets (Mr. Ritchie), last year, as to the precise incidence of the duty upon tobacco. My hon. Friend made a most gallant fight upon the subject, and in consequence of the representations which he made, I thought it right to have a very careful examination made into this matter by the Inland Revenue Department. The result is this—The controversy last year turned principally upon three points—namely, the amount of moisture in the leaf, the amount of stalks, and the value of the stalks; and without troubling the Committee with the details of the examination, I may say that the conclusion at which the Board of Inland Revenue arrived, and which I accept, is that the proper duty on cigars ought not to be 5*s.* 4*d.*, but 5*s.* 6*d.* per lb., and I therefore propose to make that small addition to this duty. I may also mention the fact, as we are on small matters, that there is a little duty of a trifling character upon some new compositions of cocoa—namely, cocoatina, and some others, which will be placed on the same footing as other cocoa preparations.

Having mentioned what is the case with regard to tobacco, I proceed to state what is the case with regard to wine, which shows by far the most important falling-off in the Customs. The Estimate last year was £1,600,000. The realized amount in the year before had been £1,628,000, and we took it cautiously at £1,600,000; but it only realized £1,475,000. That is, there was a loss of very much more, in proportion to the amount of the Revenue, I believe, than has been sustained on any article of Customs for a considerable time; and it certainly seems to mark—there being no alteration in the duties—an alteration of the consuming power of the class who are consumers of wine.

With regard to tea, the produce from tea in the year 1877-8 was £4,000,000. We estimated last year, partly in consequence of the large amount taken out of bond, and partly for other reasons, a revenue of £3,900,000, or £100,000 less than the produce of the year before. We did, however, receive £4,119,417. But for the "scare," the Estimate would have been pretty accurate. Those are the principal points with regard to which there have been fluctuations in the Customs, one way and another. With regard to the Inland Revenue, there has been a diminution upon the receipts for licences. The licences were estimated at £3,690,000, and they only yielded £3,635,000; and it is observable that the decrease is chiefly in the establishment licences. That, again, is a diminution which tells very much the same story, I am afraid, as the diminution in wine. It shows that those who are in easy circumstances—or comparatively easy circumstances—have found it necessary, in the course of this year, to curtail their enjoyments; and as they have reduced the consumption of wine, so also they have reduced establishments; and they have kept fewer servants, fewer carriages, and so forth.

I am unable to say at the present moment—some Returns not having been received from the Post Office—what the precise effect of the alteration of the dog licence has been; but I am told that probably there has been very little variation from what was anticipated.

With regard to the item of malt and sugar used in brewing, there we have an increase. The Estimate was £8,260,000, and the amount produced was £8,390,000; and that is, perhaps, the only item upon which there has been a satisfactory advance.

With regard to spirits, the estimated yield for the Inland Revenue was £14,900,000; but the yield was only £14,600,000, being £300,000 short of the Estimate. I believe that of that £300,000 decrease £200,000 decrease is due to a diminution of consumption in Scotland, and £100,000 is due to the decrease in Ireland. I believe there has been no alteration, or none to speak of, in the consumption in England. The Railway Duty has increased from £750,000 to £775,000. I think there were some arrears due.

With regard to Stamps, there has been a falling-off of £260,000, and that is entirely owing to a falling-off in the

Legacy and Succession Duty. There have been a few variations in other classes of stamps, which just balance each other, and the receipt from Probate is equal to what was estimated; but there is a diminution upon the Legacy and Succession Stamps which is attributable to a combination of causes. In the first place, there have been fewer wills; in the next place, the value of stocks and securities has diminished; and, therefore, the property has been less and the duty smaller. With regard to the curious fact that there have been fewer wills, that is accidental, and apparently it is righting itself; for within the last few weeks, at all events, whatever may be the cause, there has been a considerable addition to the number of wills proved, and the Probate Duty has come up to the full amount which was estimated. The Legacy Duty, of course, is not collected until some time after the Probate Duty is paid; and, therefore, when you have a good yield of Probate Duty in one year you may expect a large amount of Legacy Duty in the next.

While I am speaking on this question, I would just take the opportunity of mentioning that my attention has been directed to a matter which is attracting much notice in the country, and which has been mentioned in this House more than once by the right hon. Gentleman the Member for Birmingham (Mr. John Bright), and others. It is with regard to the manner in which taxes are collected. Great complaints have been made by persons who have been compelled to take upon themselves the very unpleasant duty of collectors, and sometimes the system has worked harshly. I have prepared a scheme, with the details of which I will not now trouble the House, to alter this, and I hope it will be found satisfactory.

I have mentioned the items of Revenue upon which there has been a falling-off. I ought now to mention those upon which there has been an excess. For the Land Tax and House Duty the Estimate was £2,630,000, and the actual revenue £2,720,000, showing, therefore, an increase of £90,000. For Property and Income Tax the Estimate was £8,570,000, the actual revenue £8,710,000, therefore showing an excess over the Estimate of £140,000. The Post Office shows an increase above the Estimate of £40,000; the Telegraph Service, £20,000. Crown Lands are precisely what was estimated. The interests on advances for Local Works, and on purchase money of Suez Canal Shares, was £16,000 more than was expected, and Miscellaneous £223,000. Now, with regard to the Expenditure, perhaps, after what I have said, I need not go in any very great detail into a comparison of the Expenditure of 1878-9, with the grants that were made. There were certain items upon which the expenditure was less than had been anticipated. The interest on Temporary Loans for Local Purposes was £110,000 less than was expected, and the interest on other Consolidated Fund charges was £135,000 less. On the Army, Navy, and other Military Services there were savings; but, of course, they are only savings in detail upon a large general increase. Upon the Miscellaneous Civil Services there have been decreases, and the result is that the actual Expenditure was, as a whole, £85,407,000, which is £833,000 less than the total Estimate with grants that were made in the course of the year, but is more than the amount originally stated in the Budget by £4,388,000.

Now, comparing the Expenditure of the past year with that of the year before, it would be well to distinguish between the ordinary and extraordinary Services. The total Expenditure for 1877-8 was £82,400,000, of which £3,500,000 was on account of the Vote of Credit for extraordinary war Services. The ordinary Expenditure for 1877-8 was £78,900,000. In the year that has just closed, 1878-9, the total Expenditure was £85,400,000, of which there was £4,770,000 for extraordinary war expenditure, so that the ordinary Expenditure was £80,630,000. Thus it will be seen that the increase in the ordinary Expenditure of 1878-9 over the year preceding was about £1,730,000; and that may be accounted for thus:—For different Miscellaneous Civil Service Estimates there was nearly £1,000,000; upon the Revenue Departments about £200,000; upon the Army and Navy about £400,000; and upon the interest on Public Works Loans Accounts, £100,000, making £1,700,000. As regards the extraordinary Expenditure of the year, it exceeds that of the year before by £1,270,000. Now, it will be remembered that the extraordinary Expenditure was due to two things—one was the Russo-Turkish War expenditure, and the other was the expenditure on account of the war in South Africa. The first was common to the two years, and the second only belonged to the latter. The total amount that was voted for additional extraordinary war Services in 1877-8 was £3,500,000, and in the year 1878-9 it was £3,270,000. of which, however, £340,000 was due, not to the services in Europe, but to the Transkei War in South Africa. Some portion of this was paid out of the Revenue; but there still remain certain outstanding Exchequer Bonds which have been issued in these two years. The amount of these Bonds outstanding is £2,750,000 for 1877-8, and £2,000,000 which were issued in August last for 1878-9. These amount to £4,750,000, showing that there was a balance of £2,020,000 which had been met otherwise—that is, out of direct taxation. Besides this expenditure, there was the Zulu War, for which we took a Vote of £1,500,000. I took power, as the Committee will remember, to issue Bonds for that sum; but it was not necessary to issue the full amount of Bonds—in fact, £900,000 was paid out of the Revenue, and only £600,000 was provided for by the issue of Exchequer Bonds. If I could have foreseen that there would have been a large volume of Revenue poured in in the last week, as was the case, perhaps I should have issued even a smaller amount of Bonds than £600,000. I might easily have done with £300,000; but, as it happened, we issued £600,000, so there is a considerable addition to the Exchequer Balances. We begin the year 1879-80 with what I may describe as three sets of Bonds. The first are the Bonds for 1877-8, for £2,750,000; the second, the special bonds issued in August last, for £2,000,000; and the third, bonds of £600,000, which have recently been issued on account of the Zulu War. That makes altogether £5,350,000; but since, in consequence of the unexpected inflow of Revenue, part of the amount raised went to strengthen the balances, the amount really unpaid in respect of these Services is something less than £5,000,000. The Committee will remember that when, in 1877-8, I asked for a Vote of Credit of £6,000,000, I stated that we hoped to pay off that amount in three years, being at the rate of about £2,000,000 a-year. We have actually paid £2,020,000, and, besides that, we have actually paid off £900,000 on account of the Zulu War. If the Zulu War had not intervened, we should have paid off something like £3,000,000, or something more, if we had kept down our issue of Bonds to what was strictly necessary.

It may, perhaps, interest the Committee if I take this opportunity of mentioning how the Account of this Vote of Credit stands. The Vote of Credit for the War in Europe amounted to £6,000,000, of which £3,500,000 were issued from the Exchequer; but the Account, as audited by the Auditor and Comptroller General, allowed only £3,197,000 for warlike preparations, and so forth; so that only that amount was finally charged to that Account. Then, in the following year, we have a Supplementary Estimate, and after deducting the amount which was due to the Grant for the Cape, we find that came to £2,927,000; so that the total charge for the Services on account of the War in the East has been £6,125,000. Now, considering that when we formed the original Estimate we knew nothing of what would take place later, and considering that the events of last year were events of no inconsiderable magnitude, I do not think we came out so badly as calculators, when we find that the expenditure, which we originally estimated at £6,000,000, has turned out to be no more than £6,125,000. Possibly, when the Accounts are audited by the Comptroller and Auditor General, it may prove less by a small amount. Well, that has been the case in regard to the European complications. With regard to South Africa, hon. Gentlemen must bear in mind, when we speak of the Zulu War, that there was another War—the Kaffir. These are matters which it is far from pleasant for the Chancellor of the Exchequer to mention; but it is well that we should understand our position, and we must face it. Well, in 1877-8, the warlike preparations for the Transkei War began—in August, 1877—but they did not involve any very heavy expenditure until about the close of the year. Excluding the pay of the Queen's troops, and the ordinary charges which would have been incurred on their account in any case, whether they were at home or abroad, the expenditure amounted to £386,000. I will not go into details, but the total charge to extraordinary expenditure, on account of that war, was £308,000 in one year, and £284,000 in the other, making £592,000. The summary is this—that the preparations in connection with the Russo-Turkish War cost us £6,125,000, the Transkei War, £592,000, and the Zulu, £1,559,000; making £8,225,000 expended in those two years on those three wars. I see that in 1877-8 we raised by loan £2,750,000, and in 1878-9, £2,600,000, making altogether £5,350,000; and deducting this from the total expenditure, it will be seen that there has been defrayed out of the taxes, in that period, £2,900,000 on account of those wars. I think we ought to bear this in mind, because there is an impression abroad that we are going on entirely by borrowing money, and not paying anything out of taxation. I am sorry that our arrangements have been complicated by the wholly unexpected war in Zululand. If we had been spared that, we should be in a position to be able to fully redeem, and more than redeem, the promises that we gave originally that we would pay off the £6,000,000 in three years. In point of fact, we have paid off one-half, and have prospects of paying off the other half rapidly.

I come now to the Estimates for the year 1879-80. The Expenditure will be as follows:—The charge for the Debt, and the Consolidated Fund charges, which last year came on the whole to £30,268,000, I estimate this year at £30,620,000. There is an increase of £125,000 upon interest for Local Loans; and there is an increase of £135,000 on other Consolidated Fund charges, and of £90,000 upon Exchequer Bonds. The Army is taken at £15,645,700—that is, £2,000,000 less than last year; the Home charges of Forces in India are taken at £1,100,000; the Navy is put down at £10,586,894, which is £1,375,000 less than last year; the Civil Services are taken at £15,084,851, being £110,000 more than last year; the Customs and Inland Revenue are taken at £2,865,383; the Post Office at £3,368,825; the Telegraph Service at £1,115,195; and the Packet Service at £766,725. This gives, therefore, a total estimated Expenditure of £81,153,573. We next come to Revenue, and, first of all, with respect to the Customs. The Estimate for last year was £20,500,000, and the actual payments into the Exchequer were £20,316,000. I take the Estimate for the coming year at £20,000,000, as I think that, under the circumstances of the time, we should not be justified in taking what is called a sanguine Estimate. The Excise we also estimate below the amount actually received last year. It yielded last year £27,400,000, and the Estimate for the next year is £27,270,000—that is, a decrease of £130,000. Stamps we estimate at £10,780,000, being an increase on the amount—£10,670,000—received last year. We make that increased Estimate on account of the prospect of receiving a larger amount of Legacy Duty. The Land Tax and House Duty we take at £2,700,000, or £20,000 less than the yield last year. The Property and Income Tax, which, of course, is swelled by the remanet of the additional sum laid on last year, we estimate at £9,250,000; the Post Office at £6,250,000—that is an advance of £10,000 over the amount actually received last year; the Telegraph Service we estimate to yield £1,340,000, being an advance of £5,000 over the actual payments into the Exchequer last year; Crown Lands, £390,000, instead of £410,000 last year, the decrease of £20,000 being due to the same causes which affected landed property generally, both mining and agricultural. The interest on advances for Local Works and on purchase money of Suez Canal Shares we think will produce £1,175,000, or about £83,000 more than last year, when it produced £1,091,751; and Miscellaneous Revenue, which last year brought in £4,223,000, we take at £3,900,000. The result is that we get an estimated Revenue of £83,055,000, instead of £83,115,972 realized last year—that is, we estimate for a total decrease of Revenue to the amount of about £60,000. Under these circumstances, the Committee will perceive that, taking the Expenditure at £81,153,573 and the Revenue at £83,055,000, we have a surplus of £1,900,000; but this does not include any further provision for the South African War, nor does it include any provision for paying any portion of the Exchequer Bonds.

There is one matter which I will just mention now, because it would be desirable to notice it, though I do not invite discussion upon it, and that is the question of a loan to India. It has been mentioned to the House that it is in contemplation to propose that a loan not exceeding £2,000,000 should be made to India without interest. There has been some misunderstanding, I think, upon the subject, for I find that some persons have imagined that we are going to lend this amount, and at the end of a definite period of time we are going to ask to have the £2,000,000 handed back again. But this is not the nature of the proposal. The proposal is that the sum shall be advanced for a period of seven years, and be repayable in annual instalments. Therefore, we shall begin to receive, not in 1879-80, but in the next year, 1880-81, instalments at the rate of nearly £300,000 a-year. That arrangement, if adopted by the House, will, of course, in seven years extinguish the loan. Therefore, the only provision that I think it necessary to make is for the interest upon £2,000,000 for half-a-year.

Now, Sir, it is very difficult to say what may be the calls that may be made upon us for the expenses of the Zulu War. I am afraid that, having consulted with my right hon. Friends at the head of the War Office and of the Admiralty, I am not in a position to give any definite or distinct estimate with regard to it. But, finding that I have a surplus of £1,900,000, I think I may fairly assume that that sum will be quite sufficient to cover any calls likely to be made upon us in respect of that charge in the current year, and also in respect of the sum of £600,000, which remains as debt raised on Exchequer Bonds. But, at all events, if it fails to pay the £600,000, I have every hope that the surplus of £1,900,000 will be sufficient to meet the charge, whatever it may be, that falls upon us in respect of the Zulu War. Then we remain face to face with the Bonds of 1877-8, amounting to £2,750,000, and the Bonds of 1878-9, amounting to £2,000,000, making together a total of £4,750,000, which, according to our original plan, ought to have been discharged at the end of next year, and would have been discharged but for the Zulu War. How are we to deal with these sums which are thus outstanding? Obviously, we have the alternatives either of raising a considerable sum by taxation in order to pay off the whole of the Bonds, or one or two sets of them, or we might add the deficits in some shape or other to the permanent Debt; or there is another process—we can throw upon another year a portion of the payment. If we decide upon raising the money by taxation in order to meet this amount, where are we to look for it? There is no doubt whatever of the ability of the country to raise that, or a very much larger sum. The addition of a penny to the Income Tax would give £1,400,000 in the year, and a tax upon some of the leading articles of consumption, such as those the dealers in which have shown such sensitiveness lately, or other items, would readily yield an amount sufficient to pay off the charge, and if we were to do so, we should the next year, or the year after, be in a position to deal with a surplus of some £5,000,000 or £6,000,000 which it might be very popular to have to remit in taxation. That, it must be admitted, is a prospect which would be very captivating under certain circumstances to a Chancellor of the Exchequer. But I must point out to the Committee that this is not a question of popularity or unpopularity, or of anything of that kind; it is a question of what is really most for the true interests of the country. We have to take into account that at the present time our Expenditure is very great, and that it is likely to be so while this war goes on, and that we have, at the same time, a condition of the country which is undoubtedly very far from being satisfactory. I do not join in all the language which I hear used about the great depression of the country. I rather agree with the observations that I have seen made by the right hon. Gentleman the Member for Birmingham (Mr. John Bright) that there have been times, not so very long ago, when there was quite as much reason for anxiety as at the present time. But, without drawing comparisons between one period and another, I think it must be admitted that there are plenty of indications that trade is not what it should be, that agriculture is not in a flourishing state, and that the condition of the people—especially, I would observe, the condition of those who are described roughly as the lower middle class, or, it may be, even the upper middle class—is one which should make us very careful in putting additional burdens upon them. The indications which I have noticed, the reduction in the establishments, the reduction in the consumption of wine and other matters, all show that the present is not a time in which additional taxation would be borne without distress. But considerable distress does not mean merely a great amount of complaint and grumbling; it means a diminution in the spending power which necessarily affects the trading and agricultural communities and tends to keep down the condition of the country, which we hope to see advance and improve. For my own part, I must say that, unless under a sense of strong necessity and absolute duty, I should look with very great reluctance upon any proposal to make, at the present time, a large addition to the taxation. That is what I have got to say with regard to what I call the "heroic process." Then there is the unheroic process of carrying this sum to the permanent Debt. I cannot conceive anything more mischievous or enervating than that. I think the plan of adding a deficiency of this kind to the permanent Debt of the country would be bad in itself and bad in the example it would set. I prefer the *via media.* I hold that the true principle of finance is that you ought in ordinary years to maintain a good surplus of Revenue over Expenditure sufficient not only to provide for the Expenditure, but also to leave a margin for the reduction of the National Debt. I hold that you ought to make your taxation as little fluctuating as you possibly can; that you ought not to be in a hurry when you get an accidental surplus to give it away; and that when you have an accidental deficit you ought not to be in a hurry to put on taxation. I think that frequent fluctuations in our small number of taxes are very much to be deprecated. We must always bear in mind that the finances of this country now depend upon a very small number of sources of Revenue, and that it is not convenient or safe either to give away Revenue or to be continually putting up or down those taxes which we have still in use. The Income Tax was used for many years as a sort of make-weight in the financial system. In a bad year a penny or two was put on the Income Tax, and in a good year a penny or two was taken off. But that is not convenient to the country generally, and it becomes more and more inconvenient when you have to bear in mind the principles so justly laid down by the hon. Member for Hackney (Mr. Fawcett), and others—that on an occasion of asking for additional taxation, you ought not to place it on the income tax only, but you ought to accompany it with some call upon indirect taxation. Adding to taxation upon our articles of consumption, if it is only done for a short time—say for a year or two—deranges trade, causes agitation, and a great deal of disturbance without any adequate results. When you see that your Revenue is permanently too low for your permanent Expenditure, then it is comparatively easy to add duties which will have to be kept on, and to which trade will accommodate itself. But when you have to provide only for one or two years, I think that then it will be found inconvenient. Under these circumstances, the inclination of my mind decidedly is that we should do that which is entirely in accordance with the spirit of the proposals we originally made in 1877-8, when the Vote of Credit was first proposed—namely, that we should extend payment of that debt over one year more. [*A laugh.*] Hon. Gentlemen smile at that, and perhaps they smile with all the greater pleasure because they have two advantages. In the first place, they escape very unpleasant taxation, and, concurrently with that they enjoy the delightful amusement of abusing the Chancellor of the Exchequer. I do not at all begrudge them the pleasure which they derive from that combination of circumstances. But I have no doubt that it may be in the minds of some hon. Gentlemen that in proposing we should extend this charge over an additional year, I am, in fact, violating the canon which I myself laid down, that we ought not to get into the dangerous practice of adding Expenditure to Debt. They may say that we are making an addition to the Debt of the country. I wish to call the attention of the Committee to the very great difference which exists between taking a sum of £2,000,000 or £3,000,000 or £5,000,000, or whatever it may be, and simply adding it to your permanent Debt and so putting it out of sight, and postponing the repayment of Bonds for another year, and so keeping your debt before your eyes, until you have satisfied yourselves that you can pay it. If hon. Gentlemen cannot see the distinction between those two principles, I must say I have a very low opinion of their financial skill. Let me ask what would happen, supposing we were to take the course of adding the £5,000,000 to the permanent Debt of the country? We could do so, and could say that the interest on it was to be paid out of the £28,000,000 which we annually apply to the charge of the permanent Funded Debt. The result would be that you would get rid of the sight of these £5,000,000 altogether. You would have nothing more to pay, because our present taxation provides that £28,000,000 a-year, and then you would have a surplus, and might begin to take off taxation, and think of bringing the Income Tax down by another penny. But, according to the principles upon which I proceed, I keep the Income Tax and other duties up to their present rates, for the purpose of getting rid of that charge, in consideration of which it was that the House agreed, two years ago, to raise the rate of Income Tax. I can, of course, understand that these things may be put in various and in very ingenious ways, and we may be told that we are doing something which financially is very discreditable. I have no doubt that we shall have very fine distinctions drawn between what I am doing now and what was done in former times, when Exchequer Bonds were postponed from year to year, and when there was a series of Exchequer Bonds renewed and renewed again for a period of perhaps seven, eight, or nine years. We shall be told, no doubt, that what we are doing now is very bad, and that the expedients to which recourse was had in former times, such as calling up the Income Tax in advance, were very good. I am not at all afraid, however, of meeting discussion upon those topics.

Before we part with this question, I will ask the Committee to indulge me for a few moments while I review shortly the state of our Debt. Our Funded Debt on the 31st March, 1878, stood at £710,843,008, and the value of the Terminable Annuities running off in stock was computed at £46,335,589, making altogether a total of £757,178,597. In mentioning the calculations of the values of the Annuities, I ought to thank my right hon. Friend the Member for the City of London (Mr. J. G. Hubbard) for an interesting criticism he has passed on the mode in which the value of these Annuities is calculated. He has been at the trouble of going carefully into the way in which the calculation is made; and he has ascertained—and we entirely admit the justice of his calculation—that the principle adopted is one which tells very much against the State, and that, in point of fact, the proper value of the Annuities ought not to be taken at £46,000,000, but at a sum of £4,000,000 or £5,000,000 less. The valuation is made in accordance with a principle which has been recognized by the National Debt Office for a number of years. It is convenient, and made for the purpose of a comparison year by year; but undoubtedly it does give an incorrect idea of the true value of the Annuities in stock, and I propose to have an inquiry made into it, in order to correct the calculation in accordance with the view of the right hon. Gentleman. That, however, has nothing to do with the comparison that I am now making. The result is that the Funded Debt and the Annuities together amounted to £757,178,597 at the beginning of the last financial year. On the 31st March, 1879, the Funded Debt amounted to £709,402,000, while the Annuities were estimated at £42,776,000, making a total of £752,178,000, or a reduction on the Funded Debt, including Annuities, of just over £5,000,000 in the year. Then the Unfunded Debt of all kinds stood on the 31st March, 1878, at £20,603,000, and on the 31st March, 1879, at £25,870,000, so that the increase of the Unfunded Debt was £5,267,000, or £250,000 greater than the decrease in the Funded Debt. Hon. Gentlemen must bear in mind, however, that of that increase only about one-half was advanced for Supply Services, and that we have advanced to local bodies £2,566,000. Therefore, we have really reduced the Debt, Funded and Unfunded, by something like £2,500,000. Thus, although we have had a deficiency of Income as compared with the Expenditure of the year amounting to nearly £2,300,000, we must bear in mind that we have reduced the Debt by almost the same amount. Hon. Gentlemen never allow me to exclude from the calculations of additions to Debt the amount which is borrowed for Public Works; but it is most unfair and unreasonable if you do not exclude it, because it stands on a wholly different footing. If you are comparing the amount borrowed and applied to Supply Services you are right; but if you compare what you have borrowed and lent again you come into a different field. I do not for a moment deny that the question of borrowing for Public Works is a matter that requires the serious consideration of the House. I desire that it should receive such consideration, and I hope the House will be found willing to support me in giving a fair discussion to the principles of the Bill which I have introduced this year on the subject. I am glad to see that the hon. Member for Birmingham (Mr. Chamberlain) has returned in the nick of time to his place, for he is more critical, perhaps, on this subject than he is upon the Expenditure of the country generally. At all events, I hope that we shall be able to keep this matter distinct from the consideration of our Imperial financial policy. If you are of opinion that the system ought to be altered, then by all means alter it; if you think that it ought to be maintained, do not allow it to make a wrong impression as to the real progress we are making. I wish to point out that if the Bill to which I have just referred should be passed in its present shape it will relieve us for the future, in all probability, from the necessity of borrowing anything more for Public Works at all, because it will put the Commissioners for the National Debt into direct communication with the borrowing bodies—with, of course, the intervention of the Treasury, in order to see that what is done is right. It will put the borrowers into direct communication with the Commissioners, instead of indirect communication through the Exchequer, and we shall thus get rid of a great deal of confusion which results from borrowing on the one hand from the National Debt Commissioners, and lending, on the other, to the municipal authorities. I also wish to point out to hon. Gentlemen that this process of the reduction of the Funded Debt is one which is steadily going on, from year to year, at the rate of 5,000,000 a-year, by the joint operation of the running down of the Terminable Annuities and by the application of the Sinking Fund. Therefore, the Committee must not imagine that we are adding materially to the Debt of the country, when we allow for a single year a sum of £2,000,000 or £3,000,000, raised for an exceptional purpose, to stand over. I would call the attention of the Committee to the very great strength which that silent process for the gradual reduction of the Funded Debt lends to our financial system. If there comes a great emergency, you have here a resource to fall back upon which is of the utmost value. You might use it in ways of which it is very easy for anyone to conceive; and I do most earnestly press and entreat the Committee not to adopt any policy which would trench upon that valuable reserve, for any inferior purpose. It is open to two dangers. First, there is the danger of giving way lightly to the temptation of getting rid of taxation and throwing an undue burden on the Debt; and, again, there is the danger of carrying what I call the "heroic policy" too far, and thus producing a re-action which might upset a system which we ourselves believe to be of such service.

I feel very much indebted to the Committee for the attention it has given me while making these proposals. I make them after a very full and careful examination, and with a full conviction that we are taking a right course. It is not my intention to propose any addition to the taxation of the year. I propose that we should take power at the proper time for renewing the Exchequer Bonds for another year. That will probably take £2,000,000 for next year, and £2,750,000 the year after. The formal Resolutions, which I shall have to place in your hands, Sir, relate to the renewal of the Tea Duty at its present rate, to the small alterations which I have mentioned, in the matter of cigars and of the Crown Duty, and to the renewal of the Income Tax at its present rate.

(1.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-nine, until the first day of August, one thousand eight hundred and eighty, on importation into Great Britain or Ireland (that is to say): on

		£	s.	d.
Tea	the lb.	0	0	6."

MR. GLADSTONE: I do not rise with the intention of discussing the very important Statement which has been made by my right hon. Friend the Chancellor of the Exchequer, and it is, perhaps, fortunate that he is not in a condition which required him to ask the Committee for an immediate Vote. If it had been part of his financial plan to ask for an increase in taxation, of course the House would, in accordance with its usual practice, have assisted him by at once enabling him to levy additional duties, while reserving its decision on his proposals. That is a practice arising out of a practical necessity; but it must be a matter for congratulation that, on the present occasion, we are under no such necessity. The Resolution read by you, Sir, is laid before the House, and there is no reason we should proceed to discuss it except at such a time as will suit the convenience of the Government and assist the general course of Business. What I desire to do is to remind the Committee that the usual practice of formers years, although it has been materially invaded during very recent years, was to reserve entirely the discussion of the Financial Statement of the Chancellor of the Exchequer from the evening on which it was delivered to such another evening as might be appointed for its practical consideration. I believe that that was a very wise and a very convenient practice. Of course, it does not preclude the putting of questions to the Chancellor of the Exchequer for the elucidation of the actual facts and figures of his Statement. For my own part, so far as I was able to follow my right hon. Friend, who was, perhaps, a little rapid in some of the arithmetical portions of his speech, his Statement appeared to me to be exceedingly clear, and there seemed little upon which anyone can desire to make any objection at the present time. It is not in derogation of what seems to me a convenient practice, that every question necessary for a clear understanding of his exposition should be addressed to the Chancellor of the Exchequer immediately after the delivery of his Statement. Beyond that, I venture to hope that on this, as on every future occasion, we shall not go, but reserve the discussion of the substance of the Statement itself. Although my right hon. Friend has made no proposal for additional taxation, the House will understand that circumstances have led—and, indeed, probably have required—him to go very far beyond the mere mechanical portion of his duty in simply submitting the Estimate of Revenue and Expenditure. In that Estimate the right hon. Gentleman has shown a surplus of £1,900,000; but then he has proceeded to give us his views of the coming charge for the unhappy war in South Africa. Having done that, he has likewise been led—and I am not in the slightest degree blaming him for it—into a discussion of the utmost importance with regard to the policy which this country ought to pursue in dealing with its National Debt; with regard to the mode in which an annual surplus or an annual deficiency ought to be met as it appeared; and with regard to the different policies to be adopted, and a comparison between them. He has also raised another most important question, least of all suitable for discussion at present, with respect to the advances that are now so largely made from the Treasury for the purpose of assisting local communities for various public purposes. There are, in fact, a number of important questions of principle raised in the Financial Statement which, undoubtedly, it will be necessary for this House calmly to consider. For my own part, I would carefully avoid saying a single word on the present occasion that may in any manner prejudice that consideration. All I would say is this—that the consideration of the question of a particular tax that may be proposed this year, and may again be dealt with in another year, is that that is a very trivial matter compared with the principles and rules upon which surpluses and deficiencies are generally to be dealt with, and with the views we take of the great question of the maintenance or reduction of the National Debt as it stands. I desire to reserve, for my own part, a perfectly free discretion with regard to the very important subjects of principle involved in the Financial Statement; and if I may venture respectfully to tender a recommendation to any other Member of the House, it will be that the observance of a similar course will enable us all to approach the discussion of these matters at a more convenient time, and with far greater advantages, and do much fuller justice to a matter in which the interests of the nation are involved.

Mr. THOMSON HANKEY wished to ask the Chancellor of the Exchequer some questions with regard to his Statement. There was an apparent discrepancy in what he said with regard to the reduction of the National Debt. Was it not the case that the reduction would be £3,500,000, and not £5,000,000?

Mr. WADDY sought some information with regard to the amount expended under the Vote of Credit in connection with the Russo-Turkish War. The sum of £3,500,000 was put down to the Vote of Credit for the Russo-Turkish War as the actual amount of Exchequer Bonds issued in 1877-8. He believed that the sum actually drawn on that account was only £2,500,000. He should like to know how this difference was accounted for? There was another point in the Revenue Accounts. The Estimate for the Customs for 1878-9 was put down at £20,316,000, and in 1877-8, £19,969,000. He would call the right hon. Gentleman's attention to the fact that in the printed Statement for last year, the Estimate for 1878-9 was not put down at that sum, and he should like to know the reason for the difference?

The CHANCELLOR of the EXCHEQUER said, the hon. and learned Member for Barnstaple (Mr. Waddy) was right in saying that the Vote of Credit expired when only £3,500,000 had been spent; but he (the Chancellor of the Exchequer) had explained that in subsequent quarters further Votes had been taken for the same kind of Services, which amounted on the whole to £6,000,000. It was true that the National Debt had only in the present year been reduced by £2,500,000 instead of by £5,000,000, because the increase in the Expenditure must be set off.

Mr. CHILDERS: I will very carefully follow the line indicated by the right hon. Gentleman the Member for Greenwich, and will reserve any criticism to a future occasion. I will now merely ask some questions of the right hon. Gentleman the Chancellor of the Exchequer, with a view to the elucidation of certain points, and in order to afford the right hon. Gentleman an opportunity of making some explanations. I wish, in the first instance, to ask a question about the number of years over which the deficit is to be spread. In the Budget speech of April 4 last year the Chancellor of the Exchequer stated that the deficit from the previous year, 1877-8, was nearly £2,750,000; and he estimated that, after providing for the extraordinary Expenditure connected with Eastern affairs during 1878-9 he would have a surplus of from £700,000 to £1,200,000 to go in reduction of that deficit, and that the balance would be paid off in this present year, 1879-80. Thus, according to the then Estimate, all the extraordinary charges would be defrayed in the three years, 1877-8, 1878-9, and 1879-80; but now this spreading operation is to extend, not to one, but to two more years, and will not cease till the year 1881-2. I should like to know whether, comparing the two Budget speeches, this is so? Then, with regard to the £1,900,000 surplus, the difference between Revenue expected this year and ordinary Expenditure, the right hon. Gentleman has said that it will cover the whole cost of the South African War during the present year, together with a sum of £600,000 already expended. Therefore, what the right hon. Gentleman anticipates is that a sum of £1,300,000 shall cover the whole expenditure on account of the Zulu War during the present year. Now, I wish to ask if the Chancellor of the Exchequer has duly considered that Estimate, seeing that during the last financial year the right hon. Gentleman has taken £1,500,000 on account of that expenditure, exclusive of the Transkei operations, and considering that the most serious part of that expenditure was incurred during the last few months? The Committee ought to know what are the grounds which have led the military and naval authorities to conclude that £1,300,000 will be sufficient to meet that expenditure. It must not be forgotten that, in the event of the war being terminated within a short time, the expense of bringing the troops home will have to be met; and, as everyone who has been connected with the Admiralty knows, that expense is likely to be very heavy, I think that the Chancellor of the Exchequer should give some kind of evidence as to the calculations upon which he has based his Estimate, for, so far as past experience goes, he seems to have estimated very much below the mark. There are one or two other matters of detail connected with the Revenue upon which I should also like some information. The receipts of the Customs last year were £20,316,000, and are estimated this year at £20,000,000. But that Estimate implies that the true receipt of the year would be £20,300,000 at least, as £300,000 belonging to the year was received last year. In other words, he anticipates that the Customs Revenue will continue to rise. Is this so? He also omitted to give us any explanation as to the aggregate amount of the special duties collected by the Customs and Excise. Perhaps he will explain to us how it was that the Consolidated Fund charges were so much smaller last year? It is important that we should know the reason for this, for these charges are from £100,000 to £150,000 less than they were in the previous year. There are other questions which I should like to have asked; but it is probably better that we should discuss them at some future time, as suggested by my right hon. Friend (Mr. Gladstone).

Colonel BARNE supposed that it was useless at such a period as the present, and with a Budget like that just presented to them, for him to talk about the remission of the Malt Tax in order to benefit the agricultural interest. But he would venture to suggest to the Chancellor of the Exchequer that he might help agriculturists to a certain extent by adding slightly to the tax on sugar used in brewing, and, in that way, increasing the amount of barley used by brewers. Again, without hurting the small consumers, he might double the last year's increased tax on tobacco. Some old salts among his constituents complained that they had to pay a farthing on the ounce more for their tobacco, one-half the farthing going into the pocket of the shopkeeper, and doing no good to the Revenue. By doubling that tax, the Chancellor of the Exchequer might double his revenue, without putting any further pressure on the small consumers.

Sir GEORGE CAMPBELL said, he would like to say a few words as to the Chancellor of the Exchequer's proposals on the extraordinary Expenditure, especially with regard to the unhappy war in South Africa. It did seem to him that in taking so small a sum as £1,300,000 for what might be called a great expedition, the Chancellor of the Exchequer had hardly taken into account the enormous cost of campaigning in that country, and the enormous charges made by the Colonists. He understood that the very large Estimate of last year was not only spent, but largely exceeded. They were told that the season would be very favourable; but it must be borne in mind that the cost of forage and of transport would be very great, and it did seem to him that these Estimates were too small. Then he observed that the Chancellor of the Exchequer had only mentioned the Zulu War in his extraordinary Expenditure, and had taken for his careful expenditure in the matter of the Eastern Question. But was it safe or prudent to assume that they would hear no more of the Eastern Question? The Government might be called upon to take part in the occupation of Roumelia; and considering the way in which we had stood between the people of that Province and their deliverers, he felt that we were bound to do all that lay in our power to secure their safety. Yet that occupation, if it had to be undertaken, would certainly cost us money. As the Eastern Question was not concluded, expense might arise; and it was not prudent, considering the many wars we had in various parts of the world, for the Chancellor of the Exchequer to put all that aside, and to assume that there would be no expenditure on the Eastern Question, or on the other matters we were engaged in, and the great charge that would be made by the Colonists for assistance given. The Estimate of £1,500,000 made last year would not only be reached, but would be exceeded. We were told that there would be an extreme necessity for an enormous amount of carriage that must be paid for at enormous rates. Therefore, taking the most favourable issue of this campaign, looking at the enormous number of the troops and the large amount of carriage, the Estimate was a great deal too small. He would ask, was the Eastern Question concluded, and would there be no further question in connection with the question, and would the expenses of the Zulu War be so small as was anticipated?

Mr. NEWDEGATE complained that it appeared, according to the recent policy of the House of Commons, as if that House, so far as finance was concerned, had determined to wash its hands of all attempts to relieve the distress which was now admitted to be so prevalent throughout the country. He was quite aware that until the Revenue suffered severely, financial arrangements of this kind would not force themselves on the attention of the Chancellor of the Exchequer; but, at the same time, he could not help feeling that there would certainly be a disposition among the distressed classes, when they heard of the Budget, to feel that they were treated with great negligence. After all, the House of Commons was not a mere taxing machine; but its duty was to represent the great body of the opinion of the country. He wished to ask the Chancellor of the Exchequer whether he was right in understanding that they would not be asked to go into Committee of Ways and Means before the Easter Recess? If that were so, he should be glad to know if the Chancellor of the Exchequer could name the day at which they would be called upon to conclude this discussion?

Mr. DODDS regretted very much that the Chancellor of the Exchequer had not seen his way to accepting the suggestion he had made to him last year, at any rate, to some extent. He had, however, made a remark upon it to which he should like to allude. He had admitted that the deficiency in the Stamp Duties was attributable altogether to the falling off in the Legacy and Succession Duties. The Chancellor of the Exchequer had further told them that the amount of the Probate Duty was almost exactly what he had estimated it at. In this item of stamps, the Chancellor of the Exchequer, in answer to the hon. Member for Wexford (Mr. O'Clery), stated some time ago that the deficiency was about £350,000. Since then, he had reason to believe that it had very considerably increased, and could not now be put at less than between £350,000 and £400,000. The Chancellor of the Exchequer thought this falling off in the Legacy and Succession Duties was partly to be attributed to the smaller number of wills proved during the year, and partly to the diminished value of Stocks, which had to be taken into account in assessing the amount to be paid. But, so far as the number of wills was concerned, he would remind the Committee that, inasmuch as the Probate Duty was about the same that it was estimated to realize, this result could not have been in any way affected by a decrease in the number of wills. Another circumstance to which the Chancellor of the Exchequer had not referred, and to which he believed was attributable the greater part of the falling off, was the alteration made in the regulations for collecting the Legacy and Succession Duties, from the 1st of April in last year. Very little notice was given of the change, and he first heard of it after it had come into operation. Consequently, there was not time for Gentlemen in the same position as himself to express an opinion on the subject until it was too late. For his part, he believed that to that change alone might be attributed the greater part, if not the whole, of the falling off in the Legacy and Succession Duties. It had certainly caused a considerable amount of inconvenience. Before 1878, all these duties outside the Metropolitan district were payable through the distributors of stamps, and that was found to be a very convenient course. Without any notice, the whole of these regulations were altered, and the amounts now had to be paid direct to the Receiver General. He wished to ask the Chancellor of the Exchequer if he could tell the Committee the relative amounts received for these duties within and beyond the Metropolitan districts? That information was not given in the Returns; but the Chancellor of the Exchequer could very easily get it, and if he was rightly informed, it would be found that in the Metropolitan districts where there had been no change, there had been no falling off in the duty—or, at the most, only a very slight falling off—in the extra-Metropolitan districts it had fallen off by 40 or 50 per cent. If he was rightly informed, that showed that it was not expedient to make any change, and he would suggest to the Chancellor of the Exchequer that the old state of things should be restored. He saw, by the Report of the Commissioners of Inland Revenue, that they thought the new system would be convenient to solicitors, executors, and administrators living in the country, because it enabled them to bring their business directly to a conclusion. His experience was directly opposed to that opinion. He should like to allude also to the question of discounts. In his opinion, it would be found advantageous to allow a greater discount on Legacy and Succession Duties than 4 per cent. The advantage would be similar to that which accrued to the Exchequer when the right hon. Gentleman the Member for the University of London (Mr. Lowe) made the assessed taxes payable on the 1st of January. There were other topics in the Budget to which he would like to allude; but for the present he would confine himself to these two topics. He hoped, however, to have another opportunity of bringing the Probate and Legacy Duties under the consideration of the House.

Mr. ONSLOW would not follow hon. and right hon. Gentlemen opposite through their criticisms, but would merely say that he thought this was a Budget which would be appreciated by the country. There was one particular item, however, as to which he did desire some information. There was a falling off in the item of "Miscellaneous Revenue." Now, the Committee were aware that a great part of this Miscellaneous Revenue came from India, and as there was a considerable diminution in the item, he hoped the right hon. Gentleman would tell them whether this was owing to the receipts from India being less than in former years, and, if so, for what reason?

Mr. SAMPSON LLOYD said, he knew it was useless to speak of the Income Tax that year; but now that it must be regarded as a permanent tax he did hope the Chancellor of the Exchequer would keep his attention turned to the subject, and endeavour to remedy some of the unnecessary injustice attending its assessment and collection. There was especially a grievance connected with that tax to which he had once or twice drawn attention. People were compelled, against their will, to collect the Income Tax. The regulation produced a great deal of friction, irritation and discontent; and as he knew, from personal inquiry, that the Government Departments were ready to undertake the collection of the tax, he did not see why they should not.

Mr. SHAW LEFEVRE asked on what principle the Estimate of the Income Tax was made for the coming year? Last year it produced £140,000 more than the Estimate, which was a very remarkable fact in face of all that they had heard about the depression in trade. As, however, incomes were estimated on the three years' average, the full effect of that depression might only now be felt.

The CHANCELLOR of the EXCHEQUER said, that, with regard to the Estimate of the Income Tax, a greater advance would have been anticipated, but for the depression of trade. A very considerable allowance had been made for that depression. The increase on Schedules A and B also, which might be expected from a new assessment, had only been taken at half its usual amount; and, unless there was a recurrence of the great commercial disasters of the past, he felt certain that this Estimate might be relied on as correct, and it was an Estimate which he submitted with considerable confidence, as not likely to prove excessive or too sanguine. As to the grievance to which the hon. Member for Plymouth (Mr. Sampson Lloyd) had called his attention, he was afraid the hon. Member did not catch what he said about the collection of the Income Tax, for he had already announced that, after Easter, he should be prepared to propose certain alterations in the collection of the tax. He was also asked by the hon. Member for Guildford (Mr. Onslow) what were the causes of the diminution in the Estimate of the "Miscellaneous Revenue." It would be remembered that it comprised a very large number of various small items; but with regard to the Indian charges, the hon. Member might relieve his mind, for there was no material alteration there. The receipts in the year 1878-9 from the Indian Revenue amounted to £1,180,000, and, for the coming year, they were estimated at about £1,100,000. The difference was not very important, and he might add that last year they received £214,000 from the Post Office Savings Bank on account of the arrears of postage which had not been charged to that branch. Then they had also sold a site to the Post Office Savings Bank for £70,000. The hon. Member for Stockton (Mr. Dodds) had adverted to and condemned the change in the mode of collection of the Legacy and Succession Duties, and had referred to that as one explanation of the decrease in the receipts of the past year. It was a curious fact that, during the last six or seven weeks of the year, the number of wills proved in the Metropolitan district had exceeded by at least 40 or 50 the number in the corresponding week of the previous year. The Probate Duty was paid first, and then the Legacy Duty, so that the year 1879-80 would probably be a good year for Legacy Duty. Probably there was a certain amount of dissatisfaction at the change that had been made, and he would inquire into the reason for it. He was not able to give the figures as to the Metropolitan district, and those outside; but probably the hon. Gentleman was correct in speaking of the districts outside the Metropolis. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had asked him over what years it was proposed to spread the repayment of the £6,000,000. In reply, he could only say that when he proposed that loan on his Budget for 1878, he proposed to spread the repayment over the three years next following, beginning with 1878-9. That was his original idea; but when he brought forward the Budget last year, he had hoped that affairs would be settled quickly; that the whole of the £6,000,000 would not be required; and therefore he had said that he really thought the matter would be cleared off in the present year. That hope had, however, not been fulfilled, owing to the course events had taken, and he did not now expect that the final repayment would be made till the year after next. With regard to the question which had been put as to the cost of sending the troops to Zululand, and whether the sum of £1,900,000 would suffice for the Zulu War, a very large proportion of that expense had been already paid out of the £1,500,000 granted last year. Although considerable expense had, no doubt, been incurred, it was not the case that the whole of those troops would have to be brought back; because at the time of their being sent a certain proportion of them were on their way to India under the usual orders. Then there were also certain repayments due to the Government from the Colonial authorities, which of course they would get; and though he would not venture to give an Estimate, yet he hoped they would not be inconsiderable. Under all the circumstances of the case, although he had not ventured to submit an Estimate, matters would, he hoped, turn out as he had anticipated. His right hon. Friend asked how the Customs' Estimate had been taken, and said that the whole Customs revenue last year was £20,300,000, of which £300,000 belonged to the present year. That was not quite an accurate statement, because though, in one sense, the year had been robbed of £300,000, yet they had been robbed the year before of £100,000, on tea, and, he thought, £200,000 or £300,000 on spirits, so that they lost more in the beginning than they gained in the end of the year. With regard to the Customs' Duties on spirits, they had exactly come up to the Estimate, though there had been a falling-off of £300,000 on the Excise. Very careful Estimates had been made for the coming year, and a considerable reduction had been taken in tea, which last year produced £4,120,000. The Estimate for the current year was £3,890,000, and if they had made £100,000 one year and lost £300,000 another, £200,000 expressed the difference. He repeated that he thought the Estimate for Customs had been made very carefully, and he did not consider it by any means a sanguine Estimate. He had now had the opportunity of watching these Estimates for two or three years past, and was, therefore, able to speak with some knowledge of the subject. In reply to the question as to the Consolidated Fund charges, referred to by his right hon. Friend, he might say that last year that Fund was affected by the difference between what was estimated for miscellaneous purposes, and the actual expenditure; the Estimate being £287,900, and the actual expenditure being only £171,000. The explanation was, that it had been thought that it would be necessary to pay a sum of £153,000 for the interest and commission on the Ottoman Guaranteed Loan of 1855 for one year, in consequence of a belief that that payment would not be made by the Ottoman Government. As a matter of fact, a portion of it—the greater portion—was paid; but still some £60,000 was left unpaid, and was provided out of that amount, the result being that the expenditure had been less than the Estimate by £115,000. He need hardly discuss the question of the Malt Tax, and with regard to the Sugar

Duties, he believed they were fairly assessed, regard being had to the quantity of saccharine matter, and that the amount was an equitable one. It was a matter, however, which they desired to keep before them. As to tobacco, he did not think there had been a great falling off in the consumption in consequence of the duty; but he did fear there had been considerable moistening of the tobacco, which tended to injure the tobacco, and the Revenue too. In conclusion, he hoped that in view of the holidays the Committee would agree to adjourn the further discussion of the Budget to that day three weeks, that being a convenient day, he thought, for all to postpone it to.

Mr. GOSCHEN said, he would suggest to the right hon. Gentleman the Chancellor of the Exchequer whether Monday fortnight would not be a better day. As it was, with the Holidays intervening, the time was rather long between the discussion that night and the important debate which must take place on the Budget upon another occasion. He wished it to be clearly understood that there had been no discussion that evening; not that they thought that discussion unimportant, but because it was so very important it was held to be better to adjourn it until another more favourable occasion. Therefore, he trusted no one would misintrepret this abstention from discussion on this occasion. The hon. Member for Guildford (Mr. Onslow) had said that this Budget would be appreciated by the country. Perhaps the hon. Gentleman would have preserved a better neutrality, and conveyed better sense, if he had said that this Budget would be seen through by the country, and he ventured to suggest that that was what he meant by appreciation.

Mr. ANDERSON asked the amount spent on the Universities?

The CHANCELLOR of the EXCHEQUER said, £601,000. He said the Government appreciated Monday for their own Business, and he should prefer Thursday for the resumption of this debate.

Mr. WHITWELL said, that last Session the Chancellor of the Exchequer was good enough to answer a Question on the subject of the contribution to the expenses of the war by the Cape Government. He thought, before the Budget was finally settled, they should ascertain how much the cost of the war would be. The hon. Member for Blackburn (Mr. Briggs) had said that a certain sum had been raised; but they could hardly consider actual expenditure until the House knew something of the contribution it might fairly expect from the Cape. There was another point, more in the shape of an intimation than anything else, with reference to the question of the Afghan War expenses. When the Vote was taken, it was understood that the Indian Revenue should be charged with those expenses, although the Chancellor of the Exchequer said that he did not mean by that the Indian Revenue would be saddled with the whole of the charges. The question of the ultimate proportion of expense to both Governments seemed to him to have been left rather an open one. As that war had assumed a very different complexion to that which was anticipated when it was first undertaken, he thought it would be valuable for them to have full information on the subject before finally determining the Budget.

The CHANCELLOR of the EXCHEQUER said, he was not prepared at that moment to give information as to the final arrangements with the Cape as to their share of the expense of the war. Correspondence was still proceeding on the subject. As to the second question he thought a more suitable occasion for discussing it would be in connection with the Indian Budget.

Resolution *agreed to.*

(2.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 4th day of April 1879, on Cocoa or Chocolate, ground, prepared, or in any way manufactured, imported into the United Kingdom of Great Britain and Ireland, in lieu of the Duties now payable on Paste or Chocolate (that is to say):—

		£	s.	d.
Cocoa or Chocolate, ground, prepared, or in any way manufactured	the lb.	0	0	2"

Resolution *agreed to.*

(3.) Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 4th day of April 1879, on Tobacco Manufactured, viz. Segars imported into the United Kingdom of Great Britain and Ireland, in lieu of the Duties now payable thereon (that is to say):—

		£	s.	d.
Tobacco Manufactured, viz.:—				
Segars ..	the lb.	0	5	6"

MR DODSON suggested that, as there was an alteration with regard to the duty on cigars, it would be well to defer taking that Vote.

THE CHANCELLOR OF THE EXCHEQUER said, the House knew very well that where there was an increase of duty that was not the Vote to stop. If they deferred the Vote, all the cigars would be taken out of bond to avoid the duty.

MR. RITCHIE said, he must express his acknowledgments to the Chancellor of the Exchequer in having yielded to his argument which he advanced last year, and given him what he then asked. He felt so strongly on the subject that he then ventured to press the matter upon the House. He felt that an injustice was being done to a large body of cigar makers in this country to so great an extent that he would be justified in trying to bring the Chancellor of the Exchequer to reason; and he was very glad to find that he had now come to a better frame of mind. He only regretted that his unfortunate clients, the cigar manufacturers, had been mulcted 2*d.* a-pound more than should have been demanded of them; but he did not suppose there was any use in asking the Chancellor of the Exchequer to refund the money. He personally felt in a very awkward position as being responsible for the only increase of taxation this year. He was glad to acknowledge that the Chancellor of the Exchequer, having been convinced that he had been in the wrong, had given all the reparation in his power.

MR. WHITWELL said, he was extremely glad to hear that the Chancellor of the Exchequer had had his attention drawn to the way in which tobacco was adulterated at the present time. He was informed that tobacco was frequently adulterated not only 8 per cent, but as much as 50 per cent, the result being that the poor working man not only got a very inferior article, but also had to put up with the loss of 10 or 12 of his matches before he could get a light. Various matters were introduced into tobacco to assist the absorption of water. A general Order had been granted, making no objection to the use of acetic acid in the manufacture of tobacco. This acid was sometimes pure; but in the manufacture of cheap tobacco the quality of the acetic acid was frequently deleterious, and the quantity of water absorbed made the tobacco really prejudicial to the health as well as to the pocket of the consumer. He hoped that the Chancellor of the Exchequer would extend his care to the tobacco consumers, to protect them from infusions of deleterious matter and the adulteration of tobacco by water.

Resolution *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

MOTIONS.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.

LEAVE. FIRST READING.

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in rising to move that leave be given to bring in a Bill to establish a Code of Indictable Offences and the Procedure relating thereto, said: Towards the middle of last Session I had the honour, on the part of the Government, to ask the leave of the House to introduce a Bill entitled the Criminal Code (Indictable Offences) Bill. On that occasion I entered upon a long and elaborate explanation of the principles upon which the measure was founded and the objects which the Government desired to accomplish by its means. I have a very lively recollection of the circumstances under which that measure was introduced to the House, and I am bound to add also of the fairness of discussion and attention accorded by all who listened to the explanation which I had to give, an explanation necessarily full of technicalities, and I was going to say necessarily somewhat tedious. The House did give me very great attention, and after having heard the statement which I made, consented to the first reading of the Bill, and, as far as I could gather, certainly gave a general approval to the measure. The Bill was accordingly printed and was presented to hon. Members for their consideration; it was circulated through the country, and I am happy to say that in a very short time afterwards, both hon. Members in this House and numbers of other persons living in the country who were conversant with the subject, and thoroughly able to form a just opinion upon it, appreciated the efforts that had been made by the framers of the Bill, and, in fact, received the measure with high approval; and not only was it received with approval by the House and country generally, but the Press took up the subject, and I believe I am stating accurately what occurred when I say that it was unanimous in approving the determination which the Government had exhibited, of codifying, and of codifying effectually, an important branch of the law. Now, Sir, the prospects of the Bill which I obtained leave to introduce last Session were at first undoubtedly bright, and not only was it well received, but there seemed to be a concurrence of opinion among hon. Members that whenever the measure came on for discussion, or partial discussion, as it did on some occasions, that every facility ought to be given for passing this measure into law. Unfortunately, however, although the prospects of the Bill were such as I have described them, soon after it was introduced, and as time went on, the interest in it became somewhat thin. This was owing to the complication of foreign affairs, and other causes which I will not now dwell upon, and it was due to these that the remainder of the Session was occupied with affairs of perhaps greater importance than any piece of domestic legislation, and it very soon became apparent, although the Government were desirous, earnestly desirous, no doubt, of giving every facility in their power for the advancement of the measure through the House and facilitating its becoming the law of the land, that they were nevertheless unable to afford the facilities requisite. Accordingly, it was resolved by Government that before the Session came to an end the measure should be abandoned, with the view of re-introducing it as early as possible during the present Session. But the Government considered this Bill as an extremely important measure. It was regarded as—and it was, in fact, so far as I am aware—the first and only serious attempt ever made in this country towards codifying any portion of the law; and because it contained not only a codification or consolidation of a considerable portion of the Criminal Law of the country, but also enacted several radical alterations therein, it was thought advisable to utilize the interval between the end of the last Session and the beginning of the present by submitting the Bill to a most thorough and exhaustive examination and review. It was also thought advisable that the opportunity should be seized of extending its provisions to Ireland, and thus assimilating and bringing into harmony and concord, to a great extent, the Criminal Law of the two countries. Now, for the purpose of accomplishing these ends, the Government resolved upon appointing a Commission. Accordingly, towards the close of last Session, Commissioners were appointed to examine and revise the Code, as well as to suggest any alterations which they might think proper to be made therein. Their powers were, in fact, necessarily exceedingly large and ample. The Commissioners appointed were, I think all will agree, men of the greatest eminence and experience, and thoroughly competent for the task imposed upon them, weighty though it was. As the House is aware, Lord Blackburn, who is a tower of strength wherever he may sit, whether as a member of a Tribunal or a Commission, was—or rather I should say is, for the Commission is still sitting—the Chairman of the Commission; and the other members were Mr. Justice Barry, one of the most eminent of the Judges of Ireland, and who, I understand, is a Judge of great experience in the treatment of Criminal Law. Then there was Mr. Justice Lush, who will be allowed by all those who understand the administration of justice in England to be a man of the greatest ability and of the greatest experience; and, finally, Sir James Stephen—now Mr. Justice Stephen—the drafter of the Bill, whom I think everybody will admit to be a man who has signalized himself by his earnest and constant endeavours to simplify and improve the law. Such were the Commissioners appointed. I believe when it was under consideration who should be appointed as members of the Commission, a good many hon. and learned Gentlemen in this House thought it was desirable that the Lord Chief Justice of England should be a member and the head of the Commission; no doubt, if it could have been arranged that he should have been present upon the Commission, a man so able, and so illustrious a jurist as the Lord Chief Justice of England, his presence would have given great weight to any suggestions which the Commission might think proper to make. But, unfortunately, the necessities of the case demanded that when the Commission was formed its sittings should be continuous. The Commissioners were not to be interrupted in their labours, and the arrangement and understanding was that the Commission should sit *de die in diem.* It was, therefore, seen to be impossible that the work of the Courts of Justice at Westminster could have been properly proceeded with if the head of those Courts were to be withdrawn altogether during several months from the multifarious and important duties which devolve upon him in connection therewith. For this reason, the Lord Chief Justice was not placed upon the Commission, and for this reason only. But although the necessities of the case rendered it impossible to place the Lord Chief Justice upon that Commission, I have no doubt that hon. Members will confess that the Commission is one in which I am entitled to ask that the House should place every confidence. The Commissioners commenced their labours in November last, and they have been engaged upon those labours continuously and sedulously ever since. I shall not presume for a single moment to endeavour to describe the labours of those learned Commissioners; for, if I were to make the attempt, I am sure I should fail to convey to the House any adequate idea of them. It is enough to say that I am perfectly convinced, and can assure the House, that not only has every chapter and section, nay every line, of the Criminal Code of last Session been subjected to the most thorough and searching examination, and, so to speak, manipulated with extreme care and patience, but that a great number of alterations have been introduced. I believe when the measure, which I shall ask permission of the House to introduce in the shape in which it has left the hands of the Commissioners, is compared with the Bill of last year, it will be found that those alterations are very considerable. I will describe them in as few words as I can command. They consist in the main of a very considerable amplification of the statement of the law with regard to certain matters, especially the law relating to the justifications and excuses for acts which would if committed without such justifications or excuses be criminal. There is also a considerable alteration in the arrangement of the subjects dealt with; and then, again, it must be noticed that there have been excisions from the Bill of certain obsolete and antiquated Statutes which perhaps it has never been necessary to enforce, or that really do not require to be enforced—for instance, the Act relating to the observance of Sunday, and that which makes it illegal to hold a meeting within a certain distance of the Houses of Parliament. There has also been the excision of some Statute Law which, although not obsolete, the Commissioners have, for very good reasons, thought fit not to include in the Code. And, again, there has been a substitution for that part of the Code which relates to procedure for carrying out objects intended to be attained by clauses introduced into the original Bill, which are now sought to be attained more fully and in a somewhat different manner. The Commissioners have also introduced certain improvements in the law altogether novel in themselves, not contained in the original Bill, in which there have been made very considerable alterations both in the drafting and phraseology. When I mention the general character of these alterations, I feel that I am bound, in justice to Sir James Stephen, who drafted the original Bill, to say that, on the whole, the principles upon which it was founded remain undisturbed, and that the lines upon which it was drawn have been, on the whole, pursued. But, Sir, the Commissioners have not quite finished their task, because, as I understand, the Schedule of the Statutes which, in their opinion, ought to be repealed, either wholly or in part, is not yet complete. It requires to be finally settled; and, moreover, the Commissioners have not yet agreed upon their Report. The Schedule will, nevertheless, soon be perfected, and I have no doubt that the Report will also be agreed upon very shortly. I look forward to the latter with great anxiety, and immediately it is received, it will be presented to the House. But the draft of the Bill is substantially complete, and that being so, I do not see why there should be any delay in presenting a statement with respect to it to the notice of the House.

It is desirable that I should do so before the Easter Recess, in order not only that hon. Members may have an opportunity of considering the Bill, which I am confident will be in their hands before that period, but that people throughout the country may also be able to consider the measure, which is one of very great importance, and which will be recognized as effecting long desired amendments in the law of the land. Now, the Bill may be called a Code of Crimes and Procedure in Criminal Cases. Some of its provisions refer to crimes of all kinds, not merely to indictable offences; but, in the main, they are confined to those crimes for the commission of which the alleged perpetrators are punishable on indictment. This will be explained more fully when I have the opportunity of going further into the matter than I am able to do this evening; but I may mention that the Bill does not include summary offences, for the very simple reason that if you were to make it applicable both to indictable and summary offences, you would produce a measure of such magnitude as it would be hopeless to attempt to pass into law. The Bill, as it now stands, may, perhaps, in the opinion of some hon. Members, be considered very formidable. I will explain, as succinctly as I can, the nature of the provisions contained in the Code; but before entering upon those explanations, I will, if the House will allow me, make some remarks upon the subject of codification generally. Now, as I understand the term, a Code is nothing more or less than a legislative declaration of the law, and the whole of the law relating to any particular subject, which declaration is made by an enactment or enactments expressed in precise and perfectly accurate language. The law which is thus declared may, of course, be derived from a variety of sources; it may be derived from Acts of Parliament, decided cases, the records of ancient customs, or from text-books of authority. When, however, it has been drawn by the Legislature from its various sources, and has been declared in such enactments as I have described, this declaration is to be accepted as correct, and it is not admissible in any way to question its accuracy; all doubts are, of course, removed, all controversies are set at rest, and the Code is made a fresh point of departure, and a fresh source of law, beyond which, or behind which, it is not permitted to go in order to carry out further investigation. I know there are some of my hon. and learned Friends who say, and no doubt they profess what they believe, that they cannot understand the advantage of a Code. They say—"We do not see the utility of codification; the existing law is settled, and those who are initiated know what it is;" or, what amounts to the same thing, that "they know where to find it." And then they argue that to put the law in the shape of a Code is merely to undertake a useless labour, and is something very like making a copy of a document, instead of referring to the document itself. To these arguments I reply, in the first place, that the law on any given subject is not always settled. It often happens that there are conflicting interpretations and opposing decisions; and although it may be that a mind sufficiently educated, astute, and experienced can select the most trustworthy interpretations and pick out the most trustworthy decisions, nevertheless, the process is one which is both long and tedious, and involves very frequently an enormous expenditure of research and labour. And then, again, although it may be considered that the initiated may know the law, or the sources at which it may be found, it must, I think, be admitted that they are but a very small minority in the community, and that it is certainly most undesirable that, with regard to the law—under which everybody lies, and by which everybody is bound—the general body of the public should be excluded from any reasonable use of the means for obtaining access thereto. Moreover, even the initiated are not acquainted with all the law, and much of it they can only ascertain by the study of Acts of Parliament, text-books, and reports of cases in which it, so to speak, lies hid—a process that will occupy infinitely more time than the simple reference to a Code. Surely, it is a desirable thing that anybody who may want to know the law on a particular subject should be able to turn to a chapter of the Code, and there find the law he is in search of explained in a few intelligible and well-constructed sentences; nor would he have to enter upon a long examination of *Russell on Crimes*, or *Archbold*, and other text-books, because he would have a succinct and clear statement before him. The advantage of this clear and natural statement of the law, expressed in a few words, has never been stated better than by Sir James Stephen in a recently-published book, which he calls a *Digest of the Criminal Law*. The Bill which I am about to introduce contains a statement of the existing law relating to crime, or rather the main or great bulk of the Code consists of a statement of the existing law relating to crime. Some portions of the Bill, as I have already mentioned, declared the law with respect to matters which are applicable to all crimes punishable upon indictment or by summary proceedings. I take for example these sections which refer to the parties by whom crimes may be committed, and those which refer to the justifications and excuses for acts which would otherwise be criminal; but there are other portions of the Bill applicable simply to indictable offences for reasons which have been already given. It would be a mistake if the House were to come to a conclusion that the Bill included every indictable offence to be found in the Statute Law; but it does include in its pages all the indictable offences which are ordinarily considered as crimes. Now, stated shortly—In the first place, the Bill contains provisions as to the application of the measure; second, an enumeration of the punishments which may be imposed, and some minute provisions with regard to them, designed to make those punishments consistent, and, if I may say so, harmonious in themselves, and to prevent the possibility of the infliction of sentences of undue severity. Then, again, in the third place, there is a very elaborate and careful enunciation of various matters which are dealt with under this head; and I think it will be found, upon examination of this portion of the Bill, that the Commissioners have expended infinite time and labour to make the subject of excuses and justification as complete as possible. Then, fourthly, there is a statement of circumstances in which persons become parties to the commission of crimes and the relative degrees of culpability which attach to those persons who themselves commit crimes, or incite others to their commission. There are, in the fifth place also, definitions given of various offences of the nature of ordinary crimes, made perfectly clear and as consistent as possible. The Bill also contains, in the sixth place, a very succinct statement of the procedure which must be adopted for the purpose of bringing offenders to trial, the mode in which the trial should be conducted, and of certain steps to be taken after trial and before sentence has been carried into effect. These are the heads of the Code. But I may be asked why it does not include all indictable offences known to the law? I should myself desire that all such offences should be included; but the reason given by the Commissioners for not making the Code to include every indictable offence known to the law is that there are a great many offences dealt with by carefully-considered Statutes passed in recent times, which constitute practically Codes in themselves, and that there are also Statutes relating to other offences, of an antiquated and obsolete character inapplicable to the present times, such as those to which I have already referred—laws which, perhaps, it would not be wise to repeal, but which it would certainly not be politic to re-enact. Although the Code does not contain an exposition of the law relating to every indictable offence to be found in the Statute Books, it certainly contains, to my mind, this very salutary provision. Many people speak of the elasticity and flexibility of the law; but I think that our object should be to ascertain what is the Criminal Law, and not to stretch it for the time being in order to include an offence. There has been inserted in the Code a provision that everyone who is a party to an indictable offence shall be proceeded against under some provision of the Bill, or some Statute not inconsistent therewith, and shall not be proceeded against at Common Law. It is thus secured that every crime shall be distinctly and clearly described, and not be the subject of doctrines which ingenuity may render sufficiently flexible to suit the occasion. But the Bill does something more than codify the law; it alters it in several material particulars. I am not going to trouble the House by repeating at length the description given by me with considerable elaboration last Session, and which I believe was a perfectly accurate one, of these various alterations; but will content myself by saying as shortly as possible in what they consist. These alterations consist—First, in the placing of the law relating to punishments on a more satisfactory footing; in doing away with minimum punishments, and, in some instances, diminishing their variety and preventing the possibility of their being unduly severe. For example, it is well known that the punishment of two years' imprisonment with hard labour is one of the greatest possible severity, so much so that if a person should be sentenced to this term for one crime, and again on its expiring sentenced to undergo it for the commission of another, he would not be able to endure it unless there were some provisions for its relaxation. Then, again, the distinction between felony and misdemeanour is abolished, and amendments are introduced in the law which are rendered necessary by this abolition. Now, a difference of opinion may arise upon this subject, although I do not think it will, for surely you can get rid of a distinction which is not necessary. Why the false pretence by which a man gets £1,000 out of another and so defrauds him of his property to that extent should be called a misdemeanour, and the act of stealing a mutton chop should be called a felony, it is difficult to understand. Then there are alterations in the law under the head of homicide, and also with regard to murders intended, to secure that a man should only be convicted of murder when he has intended to take away life, or was utterly careless whether the consequences of his act resulted in taking away life or not. Let a man be convicted of this terrible crime of murder, for which he is subjected to the most awful punishment that man can lay down, if he intended to take away life, and not otherwise. But under the head of homicide, also, there are provisions with regard to provocation, by acts of insult, which reduce an act that would originally come within the category of murder to the crime of manslaughter. I will not attempt to go through these provisions; but I believe it will be found that they place the law in a much more intelligible and satisfactory basis than the present. Then there is a provision which remedies the defects existing in our law with regard to infanticide. At present, if a child is killed before it is completely born into the world, although it is a morally guilty act, it is not held to be murder; a provision has, therefore, been introduced, to make that act punishable as a capital offence. It has also been made penal for a woman on the point of being delivered of a child to abstain from procuring assistance, a provision that I think will do away with the necessity of that portion of the law which relates to the concealment of birth, under which many persons are convicted of the minor offence and escape conviction for a crime of much greater magnitude. Then the old doctrines of the law with reference to theft and offences cognate thereto have been swept away and replaced by principles of a plain and intelligible sort, and consonant with the habits and feelings of the age in which we live. I mean that it is declared that a man shall be guilty of a crime if he steals any property, no matter what sort. There are a variety of old doctrines on this subject which have been doubtless rendered difficult and mysterious by Statutes passed for the purpose of making various sorts of property subjects of larceny, and it is better that these should be swept away. Further improvements have been effected in the law relating to forgery and the fabrication of false documents, with regard to which I think an unwarrantable distinction has prevailed. This is to be removed, and the result will be that it is no longer declared to be a crime punishable with penal servitude for life that a man should forge a receipt for a few shillings, whereas the fabrication of a document in which thousands of pounds are concerned, and which may entail most serious loss, should only subject the offenders to fine and imprisonment. We now come to that part of the Bill relating to procedure; and, undoubtedly, a great deal of the old law on this subject has been re-enacted; but it has been freed altogether from its entanglement, subtle technicalities, and confusing requirements. In the first place, the abolition of the distinction between felony and misdemeanour undoubtedly requires a considerable change to be made in the execution of warrants for the arrest of prisoners, the bailing of challenges, and the joining of charges in indictments, and the House will find that these necessary changes have been introduced. Further, the difficulties arising under the present law from the doctrine of *venue*, by which a man having committed an offence in county A might escape punishment by being brought up for trial in county B, are entirely removed. A provision has also been inserted, enabling the Court in suitable cases to direct that proceedings on trial by indictment shall be taken after the model of the proceedings in civil cases. Then the Bill extends the provisions of the Vexatious Indictment Act substantially to all cases whatsoever, so that no man shall be indicted unless he has been in the first instance taken before a magistrate, and except on condition that the prosecutor should incur the risk of being compelled to pay the costs of the proceedings in case he fails in his application. A change has also been made by which a person may make an admission on trial; for instance, concerning letters produced in criminal causes. The old law required that somebody should be called to prove the handwriting which everybody may know, but none will admit, to be that of a certain person. Again, there are many alterations in detail of considerable importance, introduced with the view of making the administration of justice simpler and more effective; and, in illustration of this, I will refer to the abolition of the necessity for backing warrants, and the giving of power to magistrates to take evidence upon oath in cases where it is clear that a crime has been committed, although no one is specifically accused. It is also enacted that, in future, no one shall be tried upon a coroner's inquisition, but that the effect of a coroner's warrant shall be to send suspected persons for further examination before a magistrate. Into this portion of the Bill has also been introduced a very important alteration in the law, and one which will probably give rise to discussion—that is, the alteration which authorizes the examination of prisoners; but, at the same time, it may be stated that there are enactments also introduced which will act as safeguards and prevent the possibility of any unfair advantage being taken of this power. On this subject my own mind is almost evenly balanced. I can understand that were this power possessed many more persons would be convicted, because there can be no means of arriving at the truth so safely and so surely as that of the examination of the accused, or, rather, no means of exhibiting his guilt so surely. On the other hand, it might operate hardly in the case of a man unjustly accused of a crime, but whose antecedents were of that character which would unfairly prejudice his case if they were exhibited to the jury. I shall be glad if the discussion on this portion of the measure should be both full and ample; and I beg to assure hon. Members that if the House should exhibit a feeling adverse to the introduction of such a principle, I shall at once consent to its withdrawal. The simplification of proceedings in error also forms an important alteration of the law. A Court of Appeal is established for criminal cases, and there is a provision which gives a right of appeal in certain cases from that Court to the House of Lords. A provision has also been inserted in the Bill enabling a prisoner convicted of an offence to obtain a new trial if it should appear that the verdict was not satisfactory, or if fresh evidence has been adduced. This provision has been loudly called for, and I trust that it will be thoroughly and cordially approved by the House; for I could never understand why a person in a civil action, involving perhaps the sum of £35, should have the opportunity of showing that the verdict of the jury is erroneous, and that the like opportunity should be denied to a prisoner convicted and, perhaps, sentenced to lose his life. Several improvements in minor matters have also been made which may now be passed over without remark; but I think I ought to dwell upon one, which may be considered as important—namely, the simplification of the pleading in criminal cases. Any hon. Member who has had experience in these cases will know that the pleadings are very often preposterous, the offence being set out in an indictment, the meaning of which it is almost impossible to understand, and which conveys to the unhappy prisoner, who has not the faintest idea of what it is all about, no information whatever. With the object, therefore, of removing this difficulty, the provision I have mentioned has been introduced, so that an indictment against a prisoner, instead of being long, perplexing, intricate, and technical to the highest degree, and, I may add, on the whole, almost unintelligible to the ordinary lay mind, will, in future, be perfectly plain and easily comprehended. This result will, I am sure, be regarded as a great boon by magistrates and solicitors, and, in short, by all who have to do with the administration of justice in criminal cases, and will not fail to lead to a considerable reduction of cost in these proceedings. Before concluding, I desire to say a word or two with regard to the prospect of carrying this measure into law. Now, the Government are very anxious that this should be effected. They consider the Bill to be an extremely important one, and that the demand for a thorough simplification of our law cannot be any longer resisted. There has been a cry for codification in the country, but, of course, you cannot codify the law all at once; it is a matter that will occupy considerable time, and which must be the result of very great labour. The Government also regard the Bill as one which, if passed into law, will effect a large measure of necessary legal reform and amendment. They are, however, fully aware that the Bill is a voluminous one, containing provisions on a great variety of subjects, and which it will be impossible to pass without the cordial co-operation of the House. The difficulties in the Bill must be grappled with firmly and fairly, without any desire to avoid discussion. The Government will be most ready to consider any proposal made by any considerable body of the Members of this House. My hon. and learned Friend the Member for Taunton (Sir Henry James) seems to have an idea that the device of dealing with this matter piecemeal might be adopted. The hon. and learned Gentleman made a speech on the subject the other night, which, I must confess, filled me with dismay. He said that it would be impossible for the House to forego the careful consideration of the measure, and that the only way of dealing with it will be to take it in sections. Sir, what is the meaning of that suggestion? I presume that if my hon. and learned Friend's plan were resorted to this Session, the portion of the Bill relating to excuses and justifications would be considered; next Session the House might direct its attention to the law relating to treasons; the Session after that to offences against property; the Session after that to the proposed amendment in the Law of Homicide, and so on. The consequence of such a proceeding would be—if everything went on as prosperously as could possibly be hoped, perhaps the Criminal Code might, in the course of 15 or 20 years, be enacted into law. Sir, when I contemplate having to wait for the accomplishment of an object which I earnestly desire to encompass for that period, I own I grow very sick at heart. I cannot think that resort to this dilatory process is necessary. There are, no doubt, changes in the law proposed in this Bill of an important character, which the House cannot fairly be called upon to sanction without careful consideration and discussion; but I do not see that it is impossible to discuss them all within the remainder of the present Session. With regard to the rest of the measure—that is to say, by far the greater portion of it—it contains simply a consolidation and codification of the existing law upon certain subjects; and I must own that it appears to me that such consolidation and codification can never be properly accomplished unless the House will be content to confide the preparation of the Bill to persons who are known to be thoroughly competent, and to accept the result of their labours. I thank the House for the attention accorded to the statement which I have had to make, and have only, in conclusion, to move for leave to bring in the Bill.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to establish a Code of Indictable Offences, and the Procedure relating thereto."—(*Mr. Attorney General.*)

Mr. LAW concurred with his hon. and learned Friend the Attorney General as to the importance and magnitude of the measure he was about to introduce. Unquestionably, it would make great changes in the Criminal Law, one of the most important of which would be the reduction of a portion of the unwritten law into statutory law—a matter of extreme difficulty and nicety. Notwithstanding the confidence they all had in the great ability and skill of the distinguished persons to whom the revision of the Bill had been intrusted, they could not, he feared, relieve themselves from the responsibility of carefully examining its provisions. He would suggest that the second reading should be postponed for at least as long as Bills of the first magnitude generally had been, and that they should be furnished with the Report of the Commissioners. The hon. and learned Attorney General was mistaken as to what had fallen from his hon. and learned Friend the Member for Taunton (Sir Henry James), who, he was sure, had no desire that the consideration of the Bill should be confined to one small portion during each of several Sessions. There was, on the part of hon. Members at his (Mr. Law's) side of the House, no desire for such needless delay; and he hoped the Attorney General would succeed in carrying through the House a measure which was calculated to effect so desirable an object as the simplifying and codifying of the entire Criminal Law of the United Kingdom.

MR. WADDY said, he feared that the Bill had been already introduced too late in the Session. He regretted that the promoters of the Bill had wandered away from their original intention. It was understood, when the Bill was first proposed, that it would be a Bill which would codify existing law, and not one which would introduce radical changes into the very substance of the law. No one could have listened to the speech of his hon. and learned Friend the Attorney General without being convinced that the Bill was not a codification, but a revolution, of the existing law. If it had been a codifying and consolidating Bill merely, he would have been willing to take a great deal of its contents for granted; but the measure being a revolutionizing one, hon. Members could not abdicate their functions and neglect their duty, which would compel them to go clause by clause through the Bill, and examine its minutest details. The measure, he contended, must be dealt with on the "sectional principle." Moreover, the Bill was most incomplete. He could not approve the proposal of the Attorney General to leave out of the Code a great many laws because they were already contained in Acts of Parliament; nor did he think it right that some laws should be omitted because his hon. and learned Friend did not think it desirable to re-enact them. In some respects the existing law was changed in the Bill which it was sought to introduce. His hon. and learned Friend seemed to contemplate a change in the laws with regard to the observance of Sunday; but if any vital change were actually to be made in those laws, such an amount of contention would be caused in the country and the House as it would be almost impossible to allay. The Attorney General ought to give them a good digest of the proposed alterations in the Criminal Code, so that they might fully consider what were the vital changes recommended. So far as the measure was one of consolidation and codification, the House would be prepared at once to deal with it; but such changes as that which he (Mr. Waddy) had indicated, if introduced by the Bill, would create a widespread feeling of dissatisfaction, and the Attorney General might rely upon it that a very long time would be necessary before any conclusion could be arrived at respecting the merits of his measure.

MR. MORGAN LLOYD said, that the statement of the Attorney General, that the Bill was an improvement on the Bill of last Session, justified the opposition which he and his hon. and learned Friend the Member for Taunton (Sir Henry James) gave to that measure, on the ground that it was an imperfect one. They had no means of knowing whether this Bill was or was not obnoxious to the same objection. Many of the alterations proposed to be made by it were of a revolutionary nature, and would entirely change the spirit of the Criminal Law of the country. The Bill of last year was altogether a doctrinaire measure, and proposed to introduce into the Criminal Code of this country the principles of the Criminal Law of France and other countries. It proposed to change the most important and characteristic principles of our law by the proposal to make prisoners competent witnesses. It was one of the liberties gained at the Revolution of 1688, that the prisoner should have every chance — that he should be considered innocent until found guilty, instead of forcing a confession upon him. If a Bill of simple consolidation were introduced, the House could consider it; but alterations in the law, such as the proposal to allow a prisoner to give evidence in his own case, and to apply for a new trial, ought not to be approved without full discussion—in fact, they ought to be brought before the House in distinct Bills. He would suggest that the Attorney General should be a little less ambitious in his scheme, and that he should be content to introduce a measure consolidating the existing laws. To request the House to adopt the proposed changes in the Criminal Code on the faith of three or four gentlemen, however eminent they might be, was equivalent to asking the House to abandon its position as representing and legislating for the country.

Sir GEORGE BOWYER said, he was disposed, without pledging himself to its details, with which he was now imperfectly acquainted, to give the Bill his best support. The spirit in which the measure had been brought forward did the Attorney General great credit. There were two courses open to the Government—the one was to introduce a mere consolidation of the existing law, and the other to introduce a Bill not only consolidating, but making improvements in that law. The latter was the bolder, and, he thought, also the right course. He had the honour of being the Member of a Commission to inquire into the propriety of a Digest or Code of other branches of the Law, and the conclusion to which that Body came, after great study of the subject was, that if a digest of the law were made exactly as the law stood—that was, a mere consolidation—it would be worth nothing. The case was the same, in many respects, with the Criminal Law. Our Criminal was superior to our Civil Law, being much simpler; nevertheless, there were many things in it which must be altered; and if our Criminal Law were consolidated just as it was, the work would be of very little value. It was said to be a great obstacle to the passing of the Bill that it did away with the distinction between felony and misdemeanour; but, in his opinion, no consolidation of our Criminal Law would be satisfactory without the abolition of that distinction. That distinction arose entirely under the feudal principle. Felony was a term of feudal law which imported the forfeiture of property by the vassal to the lord, and misdemeanour was not dependent on feudal law. There were many misdemeanours which were far more serious offences than felony, and the distinction between the two could not be maintained. That great jurist, Savigny, said that the evil of a Code was that it fixed the law as it was and prevented its improvement. That was a very serious objection to all Codes. If they made a Code when the law was imperfect, all the existing imperfections and absurdities of the law were stereotyped and crystallized. In no country but ours was an accused person denied the privilege of giving evidence in his own behalf, his evidence being taken for what it was worth. That was a matter which must be dealt with in any consolidation of our Criminal Law. It might be urged that a measure both reforming and consolidating the law could not be passed this Session. But they could not reasonably expect the whole Criminal Law of England, which had grown up from a very remote period, to be consolidated and made into a *corpus juris* and passed through both Houses of Parliament in one Session. He thought there would be no difficulty in getting a continuous Act in such special circumstances, providing that next Session they might take up the Criminal Code Bill just at the point it had reached at the close of the previous Session. If in that way they could, in two or three years, pass a complete system embodying the whole Criminal Law of this country, they need not grudge the time spent over the work. He would suggest that the Attorney General should include in his Bill one more improvement of the law—namely, a Statutory Limitation for Criminal Offences. Such a provision existed in all countries except this. There was much the same reason for a statutory limitation in regard to criminal as in civil cases; and it was, perhaps, more important in the former than in the latter. Under the Church Discipline Act, no proceedings could be taken against a clergyman except within a certain time. He had himself drawn that Act for the late Bishop of Exeter, Dr. Phillpotts, and he remembered preparing a clause containing such a limitation in order that a clergyman might not have a charge kept hanging over his head all his life. Many men had been indicted 20 or 30 years after the date of the offences charged against them, and in some instances they had been executed for them. An innocent man's memory might have failed him, or a material witness for his defence might have died or gone away; and it was very hard that such a man should be liable to have an indictment, perhaps for murder, brought against him at any moment for an indefinite period. Such a charge might even be preferred to extort money, and the accuser might have waited long for an unfair advantage. In passing a Statute of Limitations in criminal matters, we should only be following the example of every civilized country, and we should thereby effect a great improvement in our law.

MR. COLE thought that the Bill would in many particulars be a most valuable one; but doubted whether, as it stood at present, it would be possible to pass it during the present Session. If, however, the matters which involved important alterations in the existing law were struck out of the Bill, in order that they might be embodied in separate Bills, the present measure would have a good chance of passing, because hon. and learned Members near him would do their best to assist the Attorney General in getting it through during the present Session. He advocated the reduction of the maximum term of imprisonment, which was now two years, and was much too severe, to 18 months, and the restoration of the power of giving three years' penal servitude, which he regretted had ever been abolished. He also thought that there should be a power of giving five years' penal servitude in cases where a former conviction was proved; at present, nothing less than seven years could be given. He also felt the necessity for the simplification of indictments, which, under the existing system, in complicated cases sometimes extended to the length of the House. The question of appeal was extremely important; but then there was this difficulty—that if they gave the prisoner the right of appeal, they must give it also to the other side—the Crown; and the question altogether was so large and difficult, that he thought it would have been better not to have introduced it into the present measure, but to have dealt with it by a separate Bill; the same observation would apply to the provisions for new trials. As to the examination of prisoners, he thought this alteration would have been better left out, as it must cause great discussion. In his view, the practice would prove exceedingly dangerous; it would eventuate in a system of torture, because a man put on his trial was not likely to have full possession of his nerve. If the prisoner were examined, he would have to be cross-examined; and if he had ever previously been implicated in a case even of mere suspicion, this would come out and damage him, and he would not have a fair trial. Parts of the Bill were very valuable indeed, and he could see no reason why they should not be passed this Session. He was quite sure that with reference to these portions the Government would receive the assistance of that side of the House. He hoped, however, that the second reading of the Bill would not be taken for six weeks, so as to enable hon. and learned Members who were obliged to go on Circuit to have time to consider its provisions.

MR. GRANTHAM observed, that if the measure were to be discussed in the spirit that had been exhibited by hon. and learned Members opposite, it would be hopeless to expect that it could ever pass. It was idle to talk of consolidating our Criminal Law without at the same time endeavouring to improve it. The object was to sweep away all the anomalies which existed in the Criminal Law. Many of the alterations in the Bill were, no doubt, important; but the Judicature Act had introduced far greater alterations, and yet had passed the House in a single Session. It was much better that the alterations should be introduced into the Code and form part of a whole, than that each change should be embodied in a separate Bill. None of the alterations were of such a nature as to require a prolonged discussion; and, at any rate, that was not the proper time to discuss the various alterations, nor to express their opinions upon them. He hoped an effort would be made to deal with the Code as a whole, and that they would not cut out the alterations which were its most important part, and leave them to be dealt with piecemeal. He desired to see the Bill passed this Session, and practically, at all events, in its entirety.

MR. HOPWOOD, while earnestly desiring that some such Code as this should pass, thought there were many difficulties in the way. He regretted that the Commission to which it had been referred had consisted exclusively of Judges, and had not contained an admixture of the civilian element. Lawyers, like other professional men, were greatly benefited by the criticism of the outside world, and it would be undesirable to take the Bill merely upon the authority of the eminent Judges through whose hands it had passed. At the same time, he desired to assist as much as possible in the passing of the measure.

Mr. GREGORY said, as it was necessary to act upon the principle that ignorance of the law excused no one, they were bound to make the law as simple and intelligible as possible to all. The questions they had to consider were these—whether a codification of the law would be satisfactory without some alteration and amendment, and, if so, how they were to get the measure passed through the House? As to the desirability of the alterations with respect to felony and misdemeanour and the mode of procedure, there was a general concurrence of opinion; but there were others which might lead to mere controversy, but which it was, nevertheless, essential to raise in so general and comprehensive a measure as the present. Discussion on the alterations proposed was right and proper; the question was how, without preventing the discussion, they were to get the Bill passed through the House. It was unfortunate that a Bill for consolidating large branches of the law should, like other Bills, end with each Session of Parliament. Some years ago a Parliamentary Committee, of which he was a Member, had this question under consideration. They recommended that Bills consolidating the law, such as the present one, if they failed to pass in one Session, should be taken up in the next at the stage at which they had arrived. This might be done by means of a Resolution of both Houses; and if ever there was an occasion for the exercise of the discretion of Parliament in that matter, it would be found in dealing with the Bill now before it.

Sir HENRY JACKSON was glad that the measure was in no sense of a Party character, in spite of the very manageable majority of the Government. From his side of the House there was, he believed, no intention to oppose the Bill in a factious manner. The progress of the Bill was probably not assisted by any desultory discussions of its provisions before the House knew exactly what was proposed. A Bill of that kind might be opposed by minute and endless criticism of its details; but no measure could pass if it were so treated, and the result would be either that the House would have to abandon its great work of codification and consolidation, or that it would be obliged to take many of the provisions of the Bill upon trust. They knew that they must make some sacrifices if the Bill were passed. Codification, in its proper sense, was new to their legislation. They had an immense body of consolidated law and of statute law; but he did not know of any Act of Parliament which might properly be called a Code in its technical sense. At present they all knew that the public at large left the law very much to the discretion of the Judge; and so the House, without discussing *seriatim* all the provisions of the Bill, might take upon trust the principles on which it was based. It had been urged that those who were to be punished by the law ought to have an opportunity of knowing the law as well as the Judges who administered it; and as the law was made known, so the more easily could it be made known. If there was an amendment in the law, some authority would have to be appealed to. He knew not what that authority might be; but some day or other the House would have to do what all Legislative Bodies had done when making laws, to trust to authorities for explanation and for declaration what the laws should be for any practical result to be obtained. Whether they had yet arrived at that period they were scarcely in a position to discuss; but they would be in a better position when the Bill was before them. He thought they could easily facilitate the progress of the Bill by at once allowing the hon. and learned Gentleman to bring in his Bill as soon as possible, and by his naming a day for its second reading at an early date.

Mr. Serjeant SIMON said, that he would give his hon. and learned Friend (the Attorney General) all the assistance he could in order to pass the Bill; but he could not relinquish his duty as a Member of the House to exercise his judgment upon it. He was astonished at the argument of his hon. and learned Friend the Member for East Surrey (Mr. Grantham) that, because the Bill would contain existing laws which had, therefore, in past times received the sanction of Parliament, those laws should be passed as a matter of course. One of the objects of the Code was to amend and alter many of the laws; and even if that were not so, the House, before re-enacting them, ought to consider in how far they ought to be altered or amended. To re-enact them would be to give a new sanction to them.

and that ought not to be done as a matter of course. Again, his hon. and learned Friend the Member for Coventry (Sir Henry Jackson) had said that, as the public accepted the interpretation of the law by the Judges, the House ought to accept the recommendations of the Commissioners. He (Mr. Serjeant Simon) was astonished at such an argument. The public accepted, and were bound to accept, the interpretation of the law by the Judges, because the Judges were the Constitutional expositors of the law. The Commissioners had no such character or authority. Parliament was the only Legislative Authority known to the Constitution, and it could not abdicate its functions without a violation of its duty. It was responsible to the country for the laws it passed, and it could not throw off that responsibility; and he, for one, was not prepared to sanction such a course. No doubt the opinions and the recommendations of the eminent men who sat under the Commission were entitled to the greatest consideration, and they would receive it from the House; but even the recommendations of a Select Committee appointed by that House, which the Commissioners were not, were not always adopted by the House, and he certainly did not feel bound implicitly to adopt the recommendations of the Commissioners. Some of those recommendations involved important changes in the law as well as in procedure. Some of those changes had been referred to in the course of the debate. The law relating to Sunday trading, for instance, would give rise to considerable discussion if it was proposed to re-enact it as it stood at present, and to omit it altogether from the Code, as it seemed to be intended, was open to grave objection. The Code would not be a complete Code, and would not fulfil the character and object of a Code, if it omitted any portion of the Criminal Law. Again, the admission of prisoners as witnesses in their own cases would be a most important alteration in our Criminal Procedure. The subject was introduced last Session by the Bill of his hon. and learned Friend the Member for Poole (Mr. Evelyn Ashley), and the discussion of it occupied a whole morning. It could not be expected that such a change, if proposed by the Code, could be accepted simply because it was recommended by the Commissioners. Then, again, with regard to the abolition of the distinction between felony and misdemeanour, whilst he admitted that the distinction, so far as related to its feudal origin, had lost its significance, and that as it now existed it was absurd, he did not approve of placing all criminal offences in one category, and calling a common assault and a murder by the one common designation of "indictable offences." He thought that offences should be classified, either by bringing the graver and more heinous kind under the head of felony, and the lesser under that of misdemeanour, or by ranging them according to their degrees of gravity. Here, however, he must express the hope that the Bill would not contain the subtle and scholastic distinctions which were in the Bill of last year, many of them showing more the character of the Sciolist than the Legislator, and more suited to the Professor's Chair than the practical administration of justice. With regard to codification, he must say that there was a great deal of idle talk upon the subject, just as if a Code would necessarily be a fixed, unalterable body of laws, and that it must necessarily be simple and easy to be understood. They could not have such a thing. Every Code, like every law that was passed, would require interpretation, and must of necessity expand in time, and receive accretions from the growth of judicial decisions. Pass the code to-morrow, and they would soon have commentaries upon it, and reports and digests of the decisions to which the ever-changing circumstances of life would give rise. Still, however, it was an important thing that our laws should be classified and arranged, as far as possible, in symmetrical form; and he could only repeat that, whilst he should feel it his duty to exercise an independent judgment upon the Bill about to be introduced, he should give all possible consideration to the recommendations of the Commissioners, who had accomplished a great public work, and all the help he could to his hon. and learned Friend in passing the Bill.

Mr. WHITWELL hoped the hon. and learned Attorney General would proceed with this measure, notwithstanding all he had heard to discourage him from hon. and learned Members. The hon. and learned Gentleman must expect that every clause in his Bill would be subject to discussion; but he (Mr. Whitwell) trusted it would pass more smoothly than the reception the Bill had met with would lead them to suppose.

Mr. P. MARTIN said, it was not his intention to now enter upon any lengthened discussion of the principles or provisions of the Bill proposed to be introduced. The House, of course, was compelled to judge the character and probable effect of the measure from the statement of the Attorney General. In his judgment, he was glad to say a disposition had been shown to make a wise and salutary advance. Very many of the provisions would, no doubt, operate most beneficially in the administration of justice. But he desired to guard himself against it being assumed that he, as a Member of that House, was bound to accept and approve any provision, merely because it had received the sanction of the very eminent and able Judges who had sat as Commissioners. He feared, though he had the highest possible respect for the Irish Judge selected to serve on the Commission, and considered no Judge on the Irish Bench had higher qualifications or was better suited for the post than Mr. Justice Barry, that some omissions had been made in the proposed repeal of Irish Acts, which would still leave Ireland subject to an exceptional and more severe Code of Criminal Law than England. He thought it right to remind the Attorney General that in Ireland, in dark and evil days, a Code of extraordinary severity was enacted, and they had Insurrectionary Acts, Whiteboy Acts, and a number of other similar oppressive Acts. He trusted, therefore, when this Bill was being further proceeded with, the Attorney General would see that all these Acts were repealed, and let them start with a measure of Criminal Administration for Ireland the same as they had for England. With regard to the proposed examination of prisoners, he thought that, so far from its being for their benefit, it would militate strongly against innocent persons. Many persons found it very difficult to recollect facts with clearness and accuracy. If prisoners were to be rendered liable to examination, he thought it would be better to have resort to the Code in France. At present the prisoner might practically make a statement if he pleased; but to enact that the privilege of tendering himself for examination should be given, would, if he did not do so, militate strongly against him, because, of course, the prosecuting counsel would invariably comment on the fact if the prisoner did not make a statement. At present, a prisoner had full opportunity to make any statement he wished, through the medium of his counsel; therefore, the proposal in this Bill would require a full and searching examination before they committed themselves to the principle. Personally, he was opposed to the proposed change, and he hoped a majority of the House would be found to be of the same opinion. One matter, however, he must congratulate Her Majesty's Government on—that was, that they had had the courage to propose that there should be an appeal in criminal cases. This was a great step in advance, and he congratulated the Government upon what they had proposed in this respect.

Mr. PARNELL wished to add his voice to the chorus of admiration with which this Bill had been received, though his feelings were very much damped, because he felt there was a very great probability that the Bill would never be passed. He did not charge the Government with having wasted the time of the House in introducing the Bill this evening, because it was, no doubt, desirable that the House and the country should have an opportunity of studying the details of a Bill of this character. At the same time, in looking to the future, he felt a sort of despair as to the capability of the House of Commons to deal properly and suitably with a Bill involving such enormous and important questions —questions of varied interests and various people. No doubt many of the provisions of the Bill were exceedingly good, and they ought not to be viewed in any sense from a Party point of view; and all sides of the House should endeavour, if they possibly could without the sacrifice of principle, to aid the passing of the Bill. There was one proposal which he would take as an example of the benefits of the Bill if it passed. The hon. and learned Gentleman the Attorney General announced that he proposed to do away with the offence of constructive murder. In Ireland they had been looking for such a change for a long time. They had had many instances in

Ireland where men had been found guilty of constructive murder in order to punish them for other offences. Ten or 12 years ago they had a remarkable instance of this. In 1867 a number of young men in Manchester banded together to rescue two Fenian leaders. These young men were admittedly banded together for an unlawful purpose, and they attacked a prison van, and a shot was fired, which killed Sergeant Brett. It was not proved at the trial that this shot was fired by any of the prisoners; yet, notwithstanding this, five young men were found guilty, and sentenced to be executed. It fortunately turned out before the day of execution, one prisoner, Maguire, was able to prove a most conclusive *alibi.* The sentence on another prisoner, Condon, was commuted to penal servitude for life, though, thanks to the clemency of the Government, he had since been set at liberty. Three young men, however, were executed for the firing of this single shot. Now, had this been in existence as it was at present proposed, none of these young men would have been sentenced to death, and they would have received a punishment commensurate with any illegal act of which they might otherwise have been guilty. He did not agree with much that had been said on the subject of the examination of prisoners. It seemed to him that the liberty proposed to be given to a prisoner under trial of submitting himself to examination would tell most against those who were guilty, and least against those who were innocent; because, if a prisoner knew he was guilty, in nine cases out of 10 he would hesitate to submit himself to the examination of a clever cross-examining counsel; whereas the man who believed himself to be innocent would have the courage which innocence nearly always gave. Therefore, he was inclined to think that, guarding the matter as the hon. and learned Gentleman the Attorney General proposed to guard it, they might, on the whole, fairly adopt some modification of the hon. and learned Gentleman's plan, so as to allow prisoners an opportunity of proving their innocence in the only way in which very often it could be proved—by themselves. With respect to the appeal in criminal cases, it was a matter of the greatest importance. It had always appeared to him to be a relic of barbarity that they should never have allowed an appeal in criminal cases. The case of the young man Habron, sentenced to death a few years ago, but who had recently received Her Majesty's gracious pardon, was an example of the enormous value that would be derived from a full and free appeal in criminal cases. He would undoubtedly have been able to establish his innocence if he could have brought his case before a Superior Court of Criminal Appeal. He hoped that the gloomy anticipations that had been indulged in as to the possibility of passing the Bill into law might not be fulfilled; but he very much feared that, under present circumstances, and as Parliament was at present constituted, the prospects of the measure were not of the brightest possible character.

MR. HERSCHELL said, this was a subject in which he had always taken the greatest possible interest; but, unless the Bill were treated with considerable judgment, there would be very great difficulty in passing it at all. The Bill consisted of a great number of clauses, the vast proportion of which were a mere codification of the existing law. But then there were some momentous changes proposed, which the House could not abdicate its functions by accepting on trust from a Commission composed of men, no matter how experienced and able. Of course, those recommendations were entitled to the greatest respect; but he would remind hon. Members that if the changes did not turn out beneficially, the responsibility would rest with the House; and, therefore, it was incumbent upon the House to give those changes the greatest possible consideration. The only practical way to deal with the subject seemed to be this—so far as the Bill was declaratory, to avoid discussion, accepting those clauses on the authority of the Commission who had so laboriously considered them; but, when it was proposed to alter and amend the law, to debate the clauses and form their own opinion upon them, giving only due weight to the high position and great learning of those who recommended them. He made this suggestion in no hostility to the measure, for no one could more earnestly desire than himself that the Code should pass into law. Even if it turned out to be not possible to pass the

Code this Session, advantage would be derived from having had the Bill under the notice of the House and before the public. He, therefore, respectfully urged his hon. and learned Friend, on the second reading, clearly to indicate those parts of the measure which were new, and to keep them separate from what was merely declaratory.

Mr. BULWER expressed his concurrence in much that had fallen from his hon. and learned Friend. He hoped the Bill would pass during the present Session. Indeed, if it were treated in the spirit which had characterized the remarks of his hon. and learned Friend, he saw no difficulty about it. So far as the Commission on the Bill had exercised a legislative, as distinct from a judicial capacity, the House ought to be jealous of giving its consent to any change they proposed. For instance, to admit the evidence of prisoners would be to recur to an old practice which had been abandoned because of its abuse. At present if, on his examination before the magistrates, a prisoner made a statement of facts which the prosecution did not inquire into before the trial, and were not prepared to contradict that statement, it would be accepted as true, and he would have the benefit of it ; but as no prisoner who was really guilty would, if he knew that he was to be examined at the trial, be foolish enough to make any statement before the magistrates, if on the trial he made a statement of new facts the truth of which could not be tested immediately, was the trial to be adjourned in order that inquiry might be made ? And if not adjourned the prisoner might possibly get the benefit of a false statement being accepted by the jury as true. They were already merciful enough to prisoners, and in their anxiety for the innocent were apt to allow many who were guilty to escape. The right of appeal in matters of law already existed, and it was not desirable to give an appeal upon matters of fact, which were thoroughly sifted at the trial. While the House ought to be jealous of its jurisdiction respecting alterations of the law, it might accept, on the authority of the Commission, those portions which made no changes, but were merely a codification of the existing law ; and if it would do so, he saw no good reason why the Bill should not pass this Session.

Major NOLAN objected to the principle that this Bill was not to be discussed by lay as well as legal Members. This was a Bill which affected the public, whose Representatives they were ; and, in his opinion, instead of referring it to lawyers, and instead of curtailing discussion upon it, both legal and non-legal Members of the House should do their best, especially as it threatened the interests of the public to such a serious extent, to assist the House in insuring it full and fair discussion.

Mr. O'DONNELL considered that a Bill dealing with such an immense variety of subjects of such importance as this did must be regarded as one requiring to be examined most carefully and thoroughly. He thought that Members of the House would not have discharged their duty if they took any portion of the Bill, whether purporting to be new law or old law, upon the recommendation even of the distinguished persons forming this Commission. He thought that the House should take the opportunity, on questions of such importance being brought to its notice, carefully to review all the questions dealt with by the Bill in detail, both as regarded the penalties surrounding the rights of property, and with regard to the protection of personal liberty, and in regard to the maintenance of public authority. With regard to the punishment of offences against authority which, in some cases, should rather be regarded as acts in defence of public liberty, whether they considered them in relation to the general or to the particular, to the interests of the State or the interests of the individual, this Bill ought to be criticized, and the fact that its introduction under the auspices of the admirable, and, in many respects, able men, but yet who had not a grave interest in the maintenance not to say the extension of public liberty, should be an additional reason why independent Members should submit the measure to their strictest scrutiny. He did not care to touch upon particular points. He agreed with the hon. and learned Member for Ipswich (Mr. Bulwer) that the interrogation of prisoners was a matter which invited criticism upon more than one side. It was a principle which might work well, and it was a principle which had often worked badly. He by no means disliked the idea of the introduction of the principle if it were surrounded with proper safeguards; but, at the same time, they should remember that no scenes had been more unworthy of human justice than those which had been perpetrated by means of a liberty of examination, often amounting to torture, being placed in the hands of Judges. He alluded to such a system of interrogation as that to which French prisoners were subjected. Sentimental torture was inflicted upon them; and he regretted to say that a variation of this principle had been introduced into Ireland, where, under one Coercion Act—namely, the Westmeath Coercion Act—the power of examining persons suspected of being capable of giving information was given, and a power to punish the refusal of information even where the prisoners alleged that they possessed no such information. He thought he was only expressing the sentiments of his hon. Colleague, when he said that no enactment had more perfectly violated the sense of popular liberty than that enactment. This power of the interrogation of prisoners placed in the hands of Judges such as they had had in Ireland, and might have again, and such Judges as they had had in England, and might have again, such a power might be most destructive of public liberty, and most injurious to the well-being of the individual. He was not sure whether he was very much in love with the principle of giving a right of appeal in all cases. He had often thought that a fair and thorough trial was more satisfactory than a multiplicity of appeal. He did not wish to dwell upon that point; but he could not express too strongly to the House his own determination to oppose to the uttermost of his ability the passing of that Bill, as bearing any weight from its being recommended to the House by any authorities whatever outside the House. Of course, he had not had an opportunity of studying the Bill, and he was aware the Bill differed materially from that introduced last year. In the Bill of last year he thought there were a great many chapters and provisions dealing with the existing law which required modernizing and humanizing. The conflict between law and material justice was still strong enough in a great many departments of law. There were many other matters upon which he should like to make suggestions; but at present he would confine himself to one point. He would venture to say that, so long as the present system of permitting public prosecutions to take place, and public inquiries to be made into the circumstances and lives of persons charged, which prosecutions involved great hardship and suffering to the accused, and afterwards declared innocent, persons, he could but not think that the State should recognize that it owed compensation to the persons thus treated. Whenever persons were charged before the State Tribunal, and suffered great hardships thereby, and were afterwards declared innocent, either through the prosecution breaking down against them, or it being found that no charge could be sustained against them, or through a verdict of acquittal at the trial, then he thought compensation should always be made. A case had recently occurred in the North of Ireland, where some men accused of an agrarian murder were thrown into prison, and treated with great severity, one of them dying under the severity of the prison treatment. After the investigation had proceeded for months, the prosecution discovered that it had no ground for proceeding, and these men were turned out of prison. Instead of the prosperous farmers that were put into prison a few months before, the State turned out of it two poverty-stricken wretched men. In such a case as that, there ought to be some redress for the immense injuries suffered. He thought the introduction of this Bill a favourable opportunity for noticing some provision providing a remedy in such cases.

MR. ASSHETON CROSS: I do not quite agree with what has fallen from the hon. Member for Dungarvan (Mr. O'Donnell). I think it is plain that if his suggestion was carried out it would work very hardly against prisoners, because the theory of our law is that a man is to be considered innocent until his guilt is proved. But we do acquit a great number of men against whom there is no evidence—the evidence is not strong enough to convict them. When we declare that such men are innocent, we simply say that because their guilt has not been clearly demonstrated. I should be sorry if it were suggested that persons were not to be acquitted unless the jury were convinced of their innocence, for that would be an entire reversal of our notions of the Criminal Law. An immense number of prisoners escape justice, because the truth is not brought home against them. I do not want to alter that system the least in the world; therefore, you cannot say that because a man is acquitted he is to be compensated. He might have been guilty, very likely he was, and if compensation is to follow acquittal, then many that now escape would not do so in the future. At present, we are satisfied with insisting that the guilt of a prisoner must be absolutely proved to the satisfaction of the jury; but either that principle would have to be altered, or many really guilty persons would become entitled to compensation. With regard to the consideration of that portion of the Bill which consolidates the existing law, I have only to say that if we were considering an entirely new Code—new in all its provisions—it would take a considerable number of the Sittings of Parliament to do it. I quite agree with what has fallen from the hon. and learned Member for Durham (Mr. Herschell), that the Bill has been completely sifted by persons thoroughly qualified, and though their judgment is not the least binding upon the House, still they have prepared and submitted to the House what, in their opinion, is the law—not what the law ought to be—and the House should be very careful not to be too hasty in disputing their judgment as to the actual declaration of the law. For, although it is quite true that every law must be submitted to us, still after the law has been thoroughly sifted and declared, as this is supposed to have been, and the competent Tribunal has declared what the law is, we ought to be very careful before we quarrel with their judgment. I think it ought to be in the absolute power of this House to deal with the whole matter. It may be that the whole question is before us, even if we accept their declaration of the law as it exists. No doubt, the intention of Parliament will be complied with, and it will either pass the Bill or certain portions of the Bill, and pass another Bill in a future Session making alterations in the law itself. So far as the declaration of the law goes, we should be, at all events, very careful before we put aside what in the opinion of those learned persons the law is. When we come to the changes of the law, I entirely agree with every word that fell from the hon. and learned Member for Durham, and there are certain cases upon which I have the greatest doubt. I have great doubt with regard to the examination of prisoners. I quite agree with the hon. Member for Dungarvan that much may be said against that system in practice, and that it may work great hardship against prisoners. These are questions which must be decided by this House, and by no one else, however capable; and I quite agree with what has been said, that we ought not to be bound in the least by any statements made by persons outside the House. In any case, we should not adopt the statement without full consideration. I hope the House will remember that there are two or three ways of discussing the Bill. You may take the discussion on the Bill when it is read a second time, and you may raise a series of objections to the second reading, and raise a three or four nights' debate, and you may raise the same discussion again in Committee. The course I venture to suggest as a means of saving time, and really thoroughly discussing the Bill, is that we should get into Committee on the Bill, and then that hon. Members should fix upon the points which, in their opinion, constitute changes, and bring them forward for consideration when they are reached in Committee. The Government will take care that the most ample opportunity for discussion is then given. That will be better than to have a rambling debate on the second reading of the Bill, when all points will be raised, and nothing practical done. We shall save time on the second reading, and we shall save time in Committee. We shall discuss this Bill much more thoroughly and in a much more business-like way by the course I have suggested than by any other. I, for one, hope that the Bill will pass during the present Session, for I think it will be a boon, not only to the Judges and the Bar, but to the general public. The simpler a Criminal Code is, the more likely it is to be understood and observed by those who come under its provisions. I therefore trust that the House will not waste any further time in discussing the points now raised, and will excuse me for making the suggestions I have done with a view to facilitate its progress, for I am most anxious that the Bill should pass into law as soon as possible, and that everything should be done to facilitate it.

Sir HENRY JAMES wished for the attention of the House for a few minutes. What he had to say with regard to the introduction of the measure had been to a great extent forestalled by what had fallen from the right hon. Gentleman the Secretary for the Home Department, with whose observations he thought most hon. Members would be disposed to agree to a certain extent. No one could wish to object to the introduction of the Bill. Yet for upwards of four hours a rambling discussion had taken place as to whether the Bill should be introduced or not. It seemed to him that the only doubtful point was as to the extent to which the House could accept the labours of the Commissioners. His hon. and learned Friend the Attorney General had wished the House to accept from the Commissioners the result of their labours in relation to matters of technical procedure. With that suggestion he was disposed to agree, and thought that the House would do well to adopt it. But the Attorney General had attributed to him the statement that the Bill would not pass in its entirety at the end of 15 or 20 years. That was entirely a matter of imagination of his hon. and learned Friend, for he had never made such a statement. But the suggestion he had made, and which he now ventured to repeat, was with regard to the way in which this measure should be carried. The Attorney General did not wish them to accept the measure in its entirety on the faith of the labours of the Commissioners; but he asked them to accept on their character and authority all matters relating to technical procedure. Probably there were very few Members of that House competent to follow the intricacies of that subject, and he thought they would be doing well in accepting the labours of the Commissioners in their entirety with regard to procedure, and those technical matters with which the Bill dealt. The second point which the Attorney General asked them to accept from the Commissioners was their declaration of the existing law, though the hon. and learned Gentleman admitted that the subject was open to discussion. He agreed that the existing law ought to be open to discussion, for the fact that the law existed did not mean that they considered that it ought to be re-enacted. To take, for instance, the Sunday Observance Act of Charles II. He presumed there would be some difference of opinion on the desirability of removing that Statute. Some might wish to alter it, and others might wish that it should be continued. But many would say that they would not take the responsibility of re-enacting that Statute, although they might be content to leave it alone as obsolete law. In all these cases, therefore, in which the learned Commissioners had stated what, in their opinion, the existing law was, it did not follow that the House would undertake the responsibility of re-enacting it. It seemed to him that the Bill dealt with two classes of measures. The first class consisted of those provisions about which there could be no controversy; and a second of those matters about which considerable difference of opinion might arise. He thought that the second class of provisions ought not to be inserted in the Bill at all. This was a Bill of some 500 sections, and, in his opinion, it contained the substance of 10 or 12 Bills in one, which they were therefore asked to discuss *en bloc.* The right hon. Gentleman the Secretary of State for the Home Department would recollect the sensitiveness of the House some years ago upon the question of Sunday Observance. The Commissioners had thought it right to put in the Bill the law with regard to Sunday as contained in the Act of Charles II.

The ATTORNEY GENERAL (Sir John Holker) explained that the Commissioners had not included that and other matters in the Bill.

Sir HENRY JAMES said, that if that were the case this was not a codification of the law at all. A complete consolidation of the Criminal Law would include all branches of it, and the House would not be satisfied with a consolidation of the law which left unrepealed certain Statutes. There were many other cases as to which differences of opinion would infallibly arise, and the Government could not expect that all these matters could be discussed in one measure in one Session of Parliament. Take the questions of law, of political crimes, of treason, the punishment of political criminals, and other matters. All those would be obstacles which the House would assist upon discussing at length. The best course to adopt would be to strike out the controversial portions of the Bill and pass the remainder; then different Bills could be brought in to consolidate those portions which were left out by this measure. Everyone that knew the evil resulting from the present state of the law would wish to see an alteration in it. He should be glad to support the Government in getting a second reading of that portion of the Bill not dealing with controverted points.

SIR JOSEPH M'KENNA thought that too much was attempted to be done at one time by this Bill. He ventured to say that hon. Members would resist any process of re-enacting laws which they condemned, and, at the present time, there were many such upon the Statute-Book. There were some few observations which had been made in connection with the law which called for some comment. The hon. and learned Member for Ipswich (Mr. Bulwer) said that in the course of judicial proceedings men were very often acquitted who had a right to be convicted; that was merely the hon. and learned Member's opinion; he could not know. The Home Secretary had talked of men being acquitted who were not innocent. Such cases might, no doubt, sometimes occur, and as they also knew, innocent men were sometimes convicted. But every man by law was presumed to be innocent until he was proved to be guilty; and, therefore, if he were acquitted, he was to be regarded as innocent. He did not, of course, believe that all the guilty were punished; but he did think it was desirable that as many should be convicted as could be convicted safely, and no more.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary CROSS, Mr. SOLICITOR GENERAL, and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 117.]

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 1) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Ramsgate, Saint Anne's on the Sea, Skegness, Strachur (Loch Fyne), Totland Bay, Westgate, and Whitehall (Stronsay).

Resolution *reported:* — Bill *ordered* to be brought in by Mr. JOHN G. TALBOT and Mr. SCLATER-BOOTH.

Bill *presented*, and read the first time. [Bill 118.]

WINE DUTIES.

Select Committee *appointed*, "to inquire into the system under which Customs Duties are now levied in this Country on Wine, and into its bearings on the fiscal and commercial interests of the Country:"—That the Select Committee do consist of Seventeen Members:—The Committee *nominated* of Mr. JOHN G. TALBOT, Mr. BAXTER, Mr. PHIPPS, Mr. CHARLES PALMER, Mr. HANBURY, Mr. RITCHIE, Mr. SAMUELSON, Mr. MULHOLLAND, Mr. WHITWELL, Mr. EWART, Mr. WILLIAM EDWARD FORSTER, Mr. COBBOLD, Sir JOSEPH M'KENNA, Mr. CLARE READ, Mr. JACOB BRIGHT, Mr. CHRISTOPHER DENISON, and Mr. CARTWRIGHT;—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, 4*th April*, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elementary Education Provisional Order Confirmation (London) * (47); Elementary Education Provisional Orders Confirmation (Brighton and Preston, &c.) * (48); Local Government (Ireland) Provisional Orders (Clonmel, &c.) * (49); Metropolis (Little Coram Street, Bloomsbury, Wells Street, Poplar, and Great Peter Street, Westminster) Improvement Provisional Orders Confirmation * (50); Marriage with a Deceased Wife's Sister * (51).

Second Reading—Registration of Births, Deaths, and Marriages (Army) * (27).

Report—Bankers' Books (Evidence) * (24).

Third Reading—Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation * (32), and *passed.*

PRIVATE BILLS.

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Easter, be extended to the first day on which the House shall sit after the recess.

FACTORIES (INDIA).

MOTION FOR AN ADDRESS.

THE EARL OF SHAFTESBURY rose to move—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to instruct the Viceroy of India to take into immediate consideration the necessity of passing a law for regulating the labour of women and children in the mills and factories throughout Her dominions in India."

The noble Earl said: My Lords, nearly half-a-century has elapsed since I first undertook the question of factory labour in the manufacturing districts in the three Kingdoms. I had hoped that my career was now terminated, and that, my arms being stiff and weary, I should not again be compelled to resume weapons to which I have been so long unaccustomed. But the state of things in India, in some departments of industry, has become so cruel and oppressive, and so disgraceful, I must say it, to the character of the Imperial Government, the evidence, moreover, from all quarters is so abundant and so strong, that I resolved once more to appeal for the aid of Parliament to redress the evil that exists, and prevent the further extension of it. I have chosen this particular form of Motion—first, because the subject is well worthy of such a position; and, secondly, because it will thus obtain a more rigid attention. I have frequently brought these matters, by Question, before the House; but, while I received much sympathy, I enjoyed no co-operation. I hardly dare to hope for success in my own time, but I shall have prepared the ground for others, and I shall myself be consoled if the last words I ever speak in this House be in the performance of so great a duty. The general outline of the state of the case is this:—1. The mills in India at present are mainly for working up jute and cotton, and they are principally in Bengal and Bombay. 2. In Bengal there are about 14 jute mills and, I believe, about four cotton. 3. In Bombay there are but one jute mill and 42 cotton mills, with 12,000,000 spindles, and 6,000 looms. In Madras there are about three. 4. In the cotton mills of Bombay—I know not the population employed in those of Bengal and Madras—there are adult males, 17,000; women, 4,000; children, 5,000. The whole population employed throughout India in cotton mills may be estimated at 40,000. 5. The mills are mostly of recent construction, with modern machinery; the ventilation and drainage are fairly good, but capable of much improvement. 6. There are no restrictions by law either as to the hours during which work is carried on, or the ages of children to be employed. All work the same number of hours. 7. The hours for work in the Bengal factories are 10, with two hours for meals, which means, no doubt, that the time prescribed is 12 hours, out of which two are taken for refreshment. In Bombay the hours of work vary from 11 to 13 a-day, according to the time of year; but for meals only from 15 to 30 minutes are allowed in the middle of the day. 8. The temperature in the mills, as stated by the witnesses before the Government Commissioners ranges from 90 degrees to 95 degrees of Fahrenheit. 9. The entire work is performed by all on their feet, children and adults being employed alike as to time and posture. 10. There is no seventh day of rest, nor half-holiday every Saturday, as with us; a Sunday now and then is taken, but it is for cleaning the machinery, not for the cessation of the labour of all the operatives. 11. The Hindoo holidays are about 14 in the year. 12. The proprietors are mostly Parsees; here and there there is an European director or manager. Now, in 1875, the subject having been often before the Government of Bombay, a Commission of Inquiry was appointed. About 26 witnesses were examined, most of them proprietors, managers, engineers connected with the mills, or operatives under mill influence. Six were Europeans. The testimony is almost universal that the hours of work are too many, the meal-times far too short; that the children perform their work standing, and work as long as the adults in a tremendous temperature, and that they are exposed to fearful accidents, and even to death, by the imperfect sheathing of machinery. Dr. Anderson, house surgeon to the hospital, says—"The number of hours is very oppressive to children and adults, especially to married women." But Mr. Henderson speaks out boldly, and states —"The hours are much too long." He is asked—

> "You do not believe in millowners and press-owners forming an association and protecting the interests of the operatives?"

"No," he replies, "they have no consciences." "Do you think the work kills them?" "Yes, it does." One would have thought that enough had been stated to move both the millowners and the Government to a sense of common humanity. Children—female children too, of the tenderest years—are worked 11 or 13 hours a-day for seven consecutive days, for the Sunday is rarely observed except for the purpose of cleaning the machinery, in a temperature of from 90 to 95 degrees Fahrenheit, with one interval of 15 minutes for rest. Women within a month of confinement, and less than that afterwards, are oppressed after the same fashion. Why, my Lords, what more do you require? The whole evidence of 1833 rises up as a witness against them. Creed and colour, latitude and longitude, make no difference in the essential nature of man. No climate can enable infants to do the work of adults or turn suffering women into mere steam-engines. But it is not thought enough, and I must go further and adduce more than adequate proof for the necessity of this Motion. The late Miss Carpenter, a lady well-known for her talents, and large sympathies, says, after her fourth journey to India—

> "The Bombay Factory Commission, which sat in the spring of last year, brought before the public facts of an appalling kind, which showed that, unless legal protection were given to the factory operatives and their children, an amount of labour might be exacted from them, often in hot and ill-ventilated workrooms, which must be very injurious both to themselves and to their children, while these last would grow up without any education."

Again, she proceeds—

> "The evidence having been given by millowners and managers, and a large proportion of the Commissioners being themselves proprietors, there could be no doubt of the correctness of the evidence that the usual time of work required from the operatives was 13 hours—from 5.30 a.m. to 6.30 p.m.—with an intermission of only one half-hour; that the work was generally estimated at seven days in every week; that in some parts of the year 16 hours were required daily; that children as young as five were sometimes employed in the mills; that there was no half-time system for the children, and, consequently, little education, even in cases where some schooling was provided by the proprietors; that, besides, the workrooms were in many cases very close and ill-ventilated, and the machinery without proper protection."

The Earl of Shaftesbury

I do not, my Lords, touch the subject of education, all-important as it is, because such a question must of necessity be left to the Local Government. Next, hear Mr. Arthur Arnold, who has English as well as Indian experience, having been an Assistant Commissioner in Lancashire at the time of the Cotton Famine. He visited—September, 1878—several cotton mills in Bombay, and gives one as a sample—

> "The hands were leaving the mill for their meagre mid-day rest of half-an-hour—the only rest they have in the whole of the working-day—just as I was entering the counting-house. I had a very good opportunity for observing their *phisique*. . . . Never have I seen such a wretched crowd of working people—the men pale and haggard, the women and children drooping, and grey with cotton dust. The men had been working continuously from 6.15 a.m. to 1 p.m., the time of my arrival; the women and chidren from 7 a.m. The hours of work are for men, from 6.15 a.m. to 6.15 p.m.; for women and children from 7 a.m. to 5 p.m. They have only one half-hour for rest and food, and as I sat waiting for their return, the 30 minutes seemed very short. At the door by my side, when they re-entered the mill, stood the superintendent with a stick in his hand, 'just,' as he said, 'to give a tap to them as comes late, for you must be master of 'em.' The time was half-past 1, and the little children, some of them not more than seven years old, exhausted with the previous six hours of continuous labour, were again at work in the terrible atmosphere of a Bombay factory for another three and a-half hours. But this cruelty—a cruelty from which British children are protected by law—is not the worst to which these Hindoo children are subjected. During a period of seven weeks this factory had been closed only for three days. There is no observance of any regular day of rest, and for 46 out of the 49 days preceding my visit these children had toiled from 7 a.m. till 5 p.m. at their exhausting labour. It is hardly necessary to state that on every floor of the mill the hands were exposed to many and great dangers from unprotected bands and wheels, and from insufficiently fenced shafting. These are invariable features of factory labour without official regulation. On the whole, I cannot conceive a case more clear and simple. The Hindoo children are surely entitled to the same protection as afforded to 'young persons' in the United Kingdom."

And another gentleman, Mr. Roberts, writing in October, 1878, says—

> "About three years ago I visited a large cotton factory in Bombay, and watched the 'hands,' old and young, go to and from many others, and I can confirm in every particular the account given of them by Mr. Arthur Arnold. Mr. Arnold, indeed, rather understated the poor physical condition of the Hindoo children, as many of them seemed to me unfit to perform any work whatever. As a perfectly disinterested medical opinion, my statement may not be without weight, especially

as I had, two or three years before visiting Bombay, made myself familiar with English factory labour as an assistant to the Commission appointed by the Local Government Board to report on the physical condition of factory children previous to the recent changes in the Factory Acts, and have examined many thousand children in the Lancashire cotton district."

He is followed by Mr. Taylor, who says—

"A strange commentary is just now furnished from India upon the proceedings of the Bristol Trades Union Congress on short-time working in English cotton mills at the present juncture. Apart from economic considerations, it has long been felt that legislation was necessary to ameliorate the condition of the Native factory workers in the new cotton mills in India. The condition of the new mills in India cannot but be considered a scandal to our civilization and a reproach to the English name. Foreign to the habits and customs of the Native population of India, these mills are worked under the revolting conditions from which the factory life of England has long been purged. Each mill in India is a garrison, and the domineering Sepoy exacts discipline with his bamboo cane. Some protection, therefore, ought to be afforded to the infantile life of the workers, and some limit to the daily and weekly time worked, else a fearful retribution will be exacted more fatal to life and limb than the sacrifices to Juggernaut."

The only objector is Mr. Rogers, who was formerly a member of Council. He denies the necessity of any remedial measures, and closes with the sagacious remark—

"Natives of India rejoice in a close, muggy atmosphere, such as they have in their own houses, where there are no windows; and factory work is to them, in fact, well-paid enjoyment."

A remark to which nature, fact, and common sense give, and have always given, the most flat contradiction. But to this Mr. Aspin gives a crushing reply. He says—September 28, 1878—

"Referring to the Hon. A. Rogers's letter of the 24th instant, on the subject of a Factory Act for India, will you kindly allow one who, for five years, had charge of the largest mill in Bombay—the Manockjee Petit Spinning and Weaving Company—and who is intimately acquainted with every detail of the management of Indian mills, to say a few words in reply to Mr. Rogers's remarks? I was in Bombay at the time the Commission spoken of by Mr. Rogers was sitting, and I assert that a more unfairly conducted investigation never was made. Every member of that Commission was more or less financially interested in Indian mills, and every witness brought before them was more or less intimidated, a catechism being actually prepared by the employers for the operatives, and the medical evidence being given by persons who were holders of mill shares. I was summoned as a witness, but strongly objected to give evidence, on the ground that the Commission was unfairly constituted, and its report a foregone conclusion. Mr. Rogers is also wrong in his statement 'that the operatives work in pairs;' even children from six, seven, and eight years of age, and upwards, go to work at 5 o'clock a.m., or earlier, and remain there until 6.30 p.m., without any remission from duty except about 15 or 20 minutes for 'tiffin' at midday, and many of them reside from two to four miles away from the mill at which they labour. Humanity in various ways is greatly outraged by the mill system of Bombay. Cases frequently occur of females giving birth to full-grown children while at work, and it is common for mothers to bring suckling babes to the mill, and lay them on the floor under the frames on which the mothers are employed. The evils and iniquities of the factory system of India can never be eradicated until it is controlled by rigid legislation such as that in England and other civilized countries."

Here follows the evidence—and the valuable evidence, too—of a practical man. He says—

"I paid a visit to a large spinning and weaving mill, where some 2,500 hands are employed. The machinery was enveloped in cotton fluff, and appeared never to have been cleaned for years. Mr. B. informed me that such was the case, as the mill had never, since he joined some two years ago, had anything but the floors swept. I asked if two or three hours per week could not, to the benefit of the machinery, be set apart for a general cleaning up? 'Oh, yes,' replied my guide; 'but the Native proprietors would look upon it as a dead loss of time.' Sunday and week-day, rain or sunshine, the continual grind went on without intermission from one year's end to another. Flesh and blood, coal and steam—it is all one to the Native mill-owners! Get as much out of them as you can is their way."

He then draws a terrible picture of the domestic condition of the wretched women who are slaves to their husbands, and compelled by them to awful drudgery, and almost starvation, while they enjoy the fruits of their industry. The evidence that might be given is various and abundant; but I must close with that of Dr. Blaney, a physician, and one of the Commissioners of Inquiry. He says, writing in 1878—

"Mr. Arbuthnot, the Chairman, and I were in favour of legislation, the other members were averse to it; but they were all pecuniarly interested in the local mill industry."

He adds various details to show the evil effect of factory labour thus prolonged and of factory atmosphere. He states a curious fact, that the great increase of polygamy—the curse of India—is the result of this vast extension of mill industry; and it is common to find Hindoo mill hands with two or three wives, who work at the mill, and he closes with this sentence—

> "Since the Report of the Commission was submitted, I have had constant opportunity of observing the mill industry in Bombay, and my further experience has shown me nothing to change my opinion. On the contrary, I am more than ever convinced that the Legislature should interfere as quickly as possible on behalf of the large class of factory hands who are now working on a system which cannot fail to degenerate the whole race."

Now, to palliate or modify these undeniable facts, two very weak and fallacious efforts are made. "The children," says one or two witnesses, "appear to be on the premises all the time; but they are, in fact, alternately working and resting." "Now," replies Mr. Sorabjee, himself a member of Council, "this is contrary to fact." He says—

> "The evidence will show that in the answers of all the European witnesses, four in number, and of three Native witnesses out of eight, nothing has been said that can justify in any degree the above-quoted statement in the Factory Commissioners' Report. On the contrary, some of the witnesses maintain that the children are at work all the time a mill is working, excepting half-an-hour for rest in the middle of the day."

He continues—

> "The truth is that the few members of the Bombay Factory Commission who were neither owners nor agents of cotton mills, were imposed upon when they wrote in their Report that the factory children worked and rested alternately while on the mill premises all the day."

The other is the old, the often-repeated, and as often-refuted, argument that the work is light. Light! why, no doubt, much of it is light, if measured by the endurance of some three or four minutes. But what say you, my Lords, to a continuity of toil, in a standing posture, in a poisonous atmosphere, during 13 hours, with 15 minutes of rest? Why, the stoutest man in England, were he made, in such a condition of things, to do nothing during the whole of that time but be erect on his feet and stick pins in a pincushion, would sink under the burden. What say you, then, of children—children of the tenderest years? Why, they become stunted, crippled, deformed, useless. I speak what I know —I state what I have seen. When I visited Bradford, in Yorkshire, in 1838, being desirous to see the condition of the children—for I knew that they were employed at very early ages in the worsted business—(the worthy father of the noble Viscount the Secretary of State for India, was then Member for that borough, and a most hearty supporter of mine)—I asked for a collection of cripples and deformities. In a short time more than 80 were gathered in a large courtyard. They were mere samples of the entire mass. I assert without exaggeration that no power of language could describe the varieties, and I may say, the cruelties, in all these degradations of the human form. They stood or squatted before me in all the shapes of the letters of the alphabet. This was the effect of prolonged toil on the tender frames of children at early ages. When I visited Bradford, under the limitation of hours some years afterwards, I called for a similar exhibition of cripples; but, God be praised! there was not one to be found in that vast city. Yet the work of these poor sufferers had been light, if measured by minutes, but terrific when measured by hours. Now, my Lords, I pray you to observe that this movement is not got up by Europeans in India. I say it to their everlasting shame. It is not got up by the Lancashire mill-owners, who, though they feel the injustice of limitations imposed on themselves which are not imposed on other subjects of Her Majesty, for obvious and, and I think, laudable reasons, abstain from all part in the agitation. The prime mover of it, the life and soul of the movement, is a wealthy Native, a Parsee, a most respected gentleman, and himself a member of Council. He has furnished me with abundant information; he has given me his opinions; and he states—and states, I doubt not, most truly—that the mill-owners, even while many of them admit that the hours of labour are too many, will resist all measures of remedy, but that the people will hail them with delight. His statement is the more important because it is the testimony of a Native in the present year, and confirms what I ventured to assert in 1875. Four years have now elapsed since the Bombay Commission made its Report, and yet nothing has been done. In 1833, when the Factory Question was mooted in England, the Government of the day stopped my Bill after the second reading and issued a Commission of Inquiry, which reported before the end of the Session, and they then brought in a Bill of their own. On what principle, or on what theory, is India to be exempted from the duties and obligations of civilized society? I speak not only of Her Majesty's Dominions in Europe, but of other countries where civilization exists. I speak of Germany, Italy, Switzerland, France. All civilized nations have come to a conclusion that infant labour must be protected — many, indeed, include adult labour within their lines of protection, and go far beyond what we have thought advisable, and even possible, in this country. Let me revert to the Colonies. Why, in New Zealand three consecutive laws have been passed by the Local Parliament, in 1873, 1874, and 1875, for the protection of females of all ages. I have the Acts at hand. They are more stringent than our provisions in England. Whence, and to what purpose, this difference of principle and practice in two great Dependencies of the British Empire? Are we to be encountered by the old commercial and economical arguments of 1833? Were they not refuted at the time by logic and common sense, and still more strongly afterwards by the universal admission of the mighty social, moral, physical, and financial benefits that arose out of that healthy legislation? Will small difficulties be urged? Great difficulties there are none. How ascertain the age? says one; so was it urged in 1833. The Indians, say they, have no register of births; neither had our people at that time; and as for baptismal entries, it was soon found that in respect of an enormous proportion of the children they had either never been baptized, or that every trace had been lost of when and where they had received the rite. "How define an adult woman?" says another. Why, my Lords, leave all that to the Local Governments. Where there is a will there is a way; and those who urge these difficulties, and call them insuperable, know well that they are making assertions for which there is not a shadow of foundation. Observe, I request you, that my proposition involves no statement of details to be required, no special or minute enactments to be forced on the several Presidencies. All local habits, necessities, requirements, are left to the consideration of the local authority. It simply lays down a principle which is sound and applicable at all times and in all places, from North to South, from East to West, to every spot in the earth wherever man is found, and claims from his fellow-man his inherent and inalienable rights. I appeal to you, my Lords, and to Her Majesty's Government, with the more confidence, because you have, as you state, by recent efforts given security to Hindostan from external aggression, and have thereby acquired leisure and opportunity to give your minds to her internal amelioration. What care, then, is more important than that of the physical and social condition of the actual generation, and of those who are to be the parents of the generations to come? The system is as yet in its infancy, and may easily be controlled; but allow it to acquire much larger proportions and it will put you at defiance. Of all the classes that toil for a livelihood there is none so helpless, friendless, and subdued as these wretched women. They are doubly slaves —slaves to the millowner and slaves to their husbands, who, disregarding their sufferings, revel at ease in their hard-won earnings. They have no public opinion on their behalf — no Press, no paid, or voluntary agitators. In their distress they lift their eyes to the Imperial Parliament; and shall it be replied, my Lords, that "on the side of their oppressors there was power, but that the oppressed had no comforter?" Heaven forbid such an issue! Forty-six years ago I addressed the House of Commons in a kindred appeal, and they heard me; I now turn to your Lordships, and I implore you in the same spirit, for God's sake, and in His name, to have mercy on the children of India.

Moved, That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to instruct the Viceroy of India to take into immediate consideration the necessity of passing a law for regulating the labour of women and children in the mills and factories throughout Her dominions in India.—(*The Earl of Shaftesbury.*)

VISCOUNT CRANBROOK: My Lords, there is no one who is more ready to recognize the great services which the noble Earl has done in this country than myself—because I am old enough to recall the condition of things to which he has referred in the manufucturing districts of England, and I have had an opportunity in many visits to those districts since to see the beneficial results of the legislation which has taken place. My Lords, the circumstances under which the noble Earl brought forward his proposals in the House of Commons were very different from those which can be predicated of India. The noble Earl was supported by the great mass of the manufacturing population, and by a great number of millowners, who were anxious that something should be done; and public opinion had a voice in England which, as the noble Earl has reminded us, it has not in India. I may say no voice, practically, of the working classes in India is heard here, nor are the mill-owners taking any part in furthering the movement—rather the reverse. But I think I may say that the noble Earl, in bringing before your Lordships some of the evidence to which he has adverted, has put me in a position of some difficulty, because, as to a great part of it, it is evidence of a private nature to which the public has not access. A great deal of the evidence has been taken from letters addressed to himself, or from personal interviews he has had—and I am bound to say it is not borne out by evidence afforded me by persons who have had facilities for learning the truth. The noble Earl has, perhaps, not sufficiently inquired into what has happened since the year 1875. In that year the Commission of Inquiry into the subject of factories reported, by a majority of about four to two, against legislation. No doubt there was much to be said in favour of legislation; but, at the same time, it must be remembered that the Commission who had taken the evidence did not, in fact, report that it was necessary. Subsequently, the reason assigned for not legislating on this question was that the time was inopportune—that the people were in the greatest distress, and required all the employment they could get for the support of their wives and families. It is obvious that the employment of the people in any way during the time of the Famine was desirable; for thousands of families had to be supported, and any interference with labour at that crisis was to be deprecated. But the subject has never been lost sight of; and when the noble Earl asks for an Address to the Queen in order that legislation may be immediately enforced, I am able to inform him that a Bill has been prepared by the Government of India, and has been circulated through the different Provinces, with a view of obtaining opinions upon it. These opinions are being collected, and I have seen besides a Minute of the Lieutenant Governor of Bombay. He comments on the subject of factory legislation generally most favourably, and with a desire that it should be put into operation. He calls especial attention to the importance of legislating with respect to women and children, and urges that the latter should not be employed for more than six hours daily; that they should be more completely protected from accidents; and that special attention should be given to the age at which they are employed. This latter point should, in his opinion, in the absence of a system of registration in India, be left to certifying surgeons, as in England. We must remember how very different the population of India is from our own; for instance, when children marry at the age of 12, as they often do in India, it is obvious that they become adults earlier than in England. In regulating the age at which they may begin their work, that fact must be borne in mind, and to ascertain it certifying surgeons must be employed. I should have great pleasure, if it should be moved for, in laying on the Table of the House the opinion of the Lieutenant Governor of Bombay, formed after a careful inspection of the factories and of the population working in them. He says that the workpeople mostly come from the coast to Bombay because the food there is good and abundant, and the climate is of a kind that usually suits them. The conclusion he comes to is that there is great room for improvement in the working of the factories. The circumstances, however, are so peculiar, and present so curious a contrast to those in which the English operative works, that I must be allowed to call attention to them very briefly. These factories, as I understand, during many parts of the year are practically thrown open. The air outside is of much the same temperature as that within; and though during the rainy season and when the wind is high the ventilators are shut, still, for the greater part of the year the workpeople are almost in the open air. Of course, I admit that when the ventilators are shut there should be some means of regulating and superintending the temperature of the mills. Then, with respect to the intended sanitary improvements, the defects pointed out by the noble Earl and the short time allowed for meals will be remedied by the measure now under consideration. A quarter of an hour is evidently a very insufficient time for the meals either of adults or of children, and an interval of an hour will be adopted as being more reasonable. With reference to machinery, I have not been able to ascertain from documents the precise extent of the dangers to which the workpeople are exposed in the use of machinery. I am told that it is fairly protected, but where further precautions are deemed necessary they must be adopted; and I am certain that the protection accorded to them will be equal to that enjoyed by factory hands in England. We have no right to make them run risks unnecessarily. I agree with the noble Earl that the protection of young persons employed in these factories is a fitting subject for legislative action; and I can assure him that, as far as lies in my power, I shall enforce upon the Government of India the urgency of legislation in that direction. The Indian Government is not at all inclined to do less than the circumstances of the case demand or to fall short of its duties. The conditions of labour in India have also to be considered. Those who have been in India will know how extremely peculiar the conditions of labour are in that country, and especially in one particular—namely, in no work being done by artificial light. Consequently the hours of labour vary considerably, the operatives working from sunrise to sunset, so that the day is sometimes very long and sometimes comparatively short. I am aware that the noble Earl did not say that the working day was 16 hours except in unusual circumstances; but the real time commonly varies from 11 to 13 hours. I quite agree with the noble Earl that it is not a question what the children do. They are there for the purpose of work, and of course their employers get as much out of them as possible; but in the Bombay mills everything is done by piecework, and is not paid for at so much a day. No one imagines that outside the factories we can carry the protection of workpeople to the extent desired by the noble Earl. We cannot stop polygamy, nor can we prevent husbands from extorting and wasting the earnings of their wives—though I am bound to say that, from all I can hear, habits of thrift are more general than the noble Earl seems to suppose. These Indian factories have attracted a good deal of attention, and there is an impression in India—an erroneous impression—that an attempt is being made in this country to put checks upon them for the sake of benefiting English manufactures. I would, to the utmost of my ability, oppose anything of that kind. We have had one instance in England of the effect of such a policy, and we have learnt a lesson that will last—I mean when in former times, for the sake of English manufactures, we put down the manufactures of Ireland in a way that most cruelly affected her prosperity. I trust legislation in that spirit will never be applied to any other country. We do not wish to check Indian manufactures, though the children and young persons employed certainly require and ought to receive the attention of the Legislature. Legislation for the protection of persons employed in the mills of India should be fairly and fully considered in the spirit exhibited by Mr. Sorabjee—a gentleman who has given great attention to the subject, and who prepared a Bill for the consideration of the Council of Bombay. Let the proposed Bill of Mr. Sorabjee be considered fairly and fully, as it undoubtedly deserves. I am happy to say that the Governor of Bombay regards it as one to which he can give his assent. As this measure is the groundwork upon which legislation will probably proceed, your Lordships would doubtless desire to know what its principal provisions are, and, with your Lordships' permission, I will give an outline of them. It provides that the mills shall be open from 6 a.m. to 6 p.m. for six days out of the seven; and here I must mention that the evidence shows that the mills are open, on the average, 320 days in the year, more or less. Now, of course, we could not put our foot down upon those Natives who do not observe the Christian Sunday; so we allow them, as long as they work only six days in the week, to choose their own day of rest. The other main provisions of the Bill are that females shall not work for more than 10, and young persons for more than nine hours a-day, allowing in each case one hour for meals. No child under eight years of age is to work at all; certifying surgeons are to be appointed; registers are to be kept at the mills; certificates are to be given to all persons employed; and power is reserved to the Governor in Council to exempt from the operation of the Act certain mills where adult labour alone is employed. The Government Bill is in circulation throughout the Provinces concerned, and Mr. Sorabjee's Bill will afford assistance in arranging the final measure. As its provisions ought to be adapted to the different populations for whom this legislation is intended, this measure has been submitted to those who rule over those populations. I trust that, under the circumstances, your Lordships will not think it necessary to address the Crown to enforce legislation on this subject.

The Earl of NORTHBROOK agreed that it was most desirable that the same protection should be given to women and children employed in mills in India as was given to those employed in a similar industry in this country. As, however, the Government of India had decided that one Act should be passed for the whole of India, it, no doubt, was necessary to submit the draft of the Bill to the different Local Governments; and that would, of course, occupy some considerable time. The Lieutenant Governor of Bengal and the Government of Bombay having expressed their concurrence in the principles of the Bill, no difficulty could arise as to the other parts of India—because those Governments represented the Provinces where there was anything like a considerable factory population.

The Earl of SHAFTESBURY, in reply, said, he had not asked for immediate legislation, but that they should take into consideration the necessity of passing a law for regulating the labour of women and children in the factories of India. It had been said that a reduction of the hours of labour of women and children employed in these mills would tend seriously to interfere with trade. He had not the slightest doubt of this—that if the hours of labour were reduced, the produce of the mills would be far superior to what it was. After the assurances given by the noble Viscount that he would lose no time in urging on the Goverment of India to proceed with legislation on the subject, he thought it would be exceedingly unadvisable to divide the House. He would, therefore, beg leave to withdraw the Motion.

Motion (by leave of the House) *withdrawn.*

ELEMENTARY EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [H.L.] (NO. 47.) A Bill to confirm a Provisional Order made by the Education Department under "The Elementary Education Act, 1870," to enable the School Board for London to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same:

ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (BRIGHTON AND PRESTON, &C.) BILL [H.L.] (NO. 48.) A Bill to confirm certain Provisional Orders made by the Education Department under "The Elementary Education Act, 1870," to enable the School Boards for Brighton and Preston United District (Sussex), Gotherington (Gloucester), Loughor Borough (Glamorgan), and Membury (Devon) to put in force "The Lands Clauses Consolidation Act, 1845," and the Acts amending the same;

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (CLONMEL, &C.) BILL [H.L.] (NO. 49.) A Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the towns of Clonmel and Dundalk, and to a burial ground for the town of Clonmel, and to waterworks in the town of Keady: And

METROPOLIS (LITTLE CORAM STREET, BLOOMSBURY, WELLS STREET, POPLAR, AND GREAT PETER STREET, WESTMINSTER,) IMPROVEMENT PROVISIONAL ORDERS CONFIRMATION BILL [H.L.] (NO. 50.) A Bill to confirm certain Provisional Orders of one of Her Majesty's Principal Secretaries of State for the improvement of certain unhealthy areas within the Metropolis:

Were *presented* by The Viscount Cranbrook; read 1ª, and *referred* to the Examiners.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

A Bill to render lawful marriage with a deceased wife's sister—Was *presented* by The Lord Houghton; read 1ª. (No. 51.)

House adjourned at half past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 4th April, 1879.

MINUTES.]—Ways and Means—*considered in Committee—Resolutions* [April 3] *reported—* Bill *ordered.*

Public Bills—*First Reading*—Public Health (Scotland) Provisional Order (Castle Douglas) * [120].

Committee—Report—Assessed Rates Act Amendment * [113].

QUESTIONS.

PEACE PRESERVATION (IRELAND) ACTS.—QUESTION.

Mr. BLENNERHASSETT asked the Chief Secretary for Ireland, Whether, considering the tranquil condition of the county of Kerry, and its freedom from crime, he is prepared to recommend that the said county, the whole of which has been subject to proclamation under the provisions of the Peace Preservation Acts from 15th February 1867 to the present time, should be declared exempt from the operation of the said Acts?

Mr. J. LOWTHER: Sir, the question of the various proclamations under the Peace Preservation Acts is now engaging the attention of the Government, and the case of the county of Kerry will be fully considered with the rest.

LAW AND JUSTICE (IRELAND)—LIMERICK GRAND JURY.—QUESTION.

Mr. O'SULLIVAN asked the Chief Secretary for Ireland, Whether it is true that the Government demanded a sum of £550 12*s.* 11*d.* from the County Limerick Grand Jury at last Spring Assize, for the conveyance of prisoners, which sum had already been paid (at a previous Assize) to their county inspector; and, if the Government were aware that this money had been paid to their official before they made a second demand for the same amount from the Grand Jury?

Mr. J. LOWTHER: I am told that, as a matter of fact, no demand has been as yet made upon the Grand Jury, though it is the case that a liability exists to the amount specified. The circumstances in which the sum is due are as follows:—The Board of Superintendence are bound by statute to pay the sums from time to time due from the county to the several sub-Inspectors of Constabulary. It appears that in Limerick the money was, in contravention of the Act, paid to the county Inspector, who appropriated it to his own use. The question was submitted to the Law Officers of the Crown, who were of opinion that the county was liable to make good the amount. I need hardly add that the county Inspector was at once dismissed from the Force.

LONDON—REPRESENTATION OF THE CITY—THE LIVERY COMPANIES.

QUESTION.

Mr. W. H. JAMES asked the Secretary of State for the Home Department, Whether it is the case that the Cooks', Haberdashers', Weavers', Fruiterers', and Pewterers' Companies have determined to make application to the Court of Aldermen for the increase of the members of the Livery, owing to an alleged interest taken by certain persons in the trade which they profess to represent; and, if so, whether it is his intention to interpose to prevent this method of disposing of the Parliamentary Franchise?

Mr. ASSHETON CROSS: I have no more authority over these Companies than any other Member. But I am informed by the Cooks', Haberdashers', and Fruiterers' Companies that they have no such intention. The Weavers' Company say no such application is necessary in their case. And I have not yet received any reply from the Pewterers'.

VICTORIA AND NEW SOUTH WALES—THE TARIFFS.—QUESTION.

Mr. A. MILLS asked the Secretary of State for the Colonies, Whether there would be any objection to lay upon the Table of the House the Tariffs of Victoria and New South Wales, as soon as they can be procured from those Colonies?

Sir MICHAEL HICKS-BEACH: There will be no objection.

AMUSEMENTS IN BIRMINGHAM.

QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether his attention has been called to a statement in the newspapers that, during a performance at the Churchill Street Concert Hall, Birmingham, on Tuesday night, a boy named Bishop, aged twelve, in being shot into the air, had a part of his thigh blown away "by a sheet of fire," and had to be removed to the hospital; and, if he will take into consideration whether exhibitions of this kind ought not to be absolutely prohibited by Law?

Mr. ASSHETON CROSS, in reply, said, that his attention had not been called to this matter except by the Question of the hon. Member. He had no power to interfere in cases where the performer running the risk of injury was an adult, but in the case of young children he could interfere; and when such performances were advertised to take place in the Metropolis he generally found that an intimation to hold the music-hall proprietor liable for manslaughter in the case of the performer being killed had the effect of putting a stop to the exhibition, and he had no doubt if the authorities at Birmingham would take the same course they would find the same result.

ISLAND OF CYPRUS—FORCED LABOUR —THE ORDINANCE.—QUESTION.

Mr. W. E. FORSTER inquired when the promised Ordinance with regard to forced labour in Cyprus would be laid upon the Table of the House.

Mr. BOURKE, in reply, said, he hoped there would not be any mistake about the promise he had made. After the debate on Cyprus, he stated that the Ordinance had to be sent to Cyprus for amendment, and that when it came back it would, after consideration by the Secretary of State, be laid upon the Table.

JOINT STOCK BANKS—LIMITED LIABILITY.—QUESTION.

Mr. HEYGATE asked Mr. Chancellor of the Exchequer, Whether the Bill about to be introduced in reference to banks will enable joint-stock banks which might be registered for certain purposes under the Act of 1862 to re-register for other purposes as empowered by that Act, so as to limit the liability of their shareholders?

The CHANCELLOR of the EXCHEQUER, in reply, said, he proposed to ask leave to bring in the Bill on Thursday week, the first day after the Holidays. One of the objects of the Bill would be to enable joint-stock banks that had been registered under the Act of 1862 to re-register, so as to limit the liability of the shareholders. That applied to banks which were not banks of issue.

WAYS AND MEANS—THE RESOLUTIONS.—QUESTION.

In reply to Mr. Goschen,

The CHANCELLOR of the EXCHEQUER said, he thought the day he named yesterday—Thursday, the 24th—would be the most convenient day for discussing these Resolutions.

PARLIAMENT—ARRANGEMENT OF BUSINESS AFTER EASTER.
QUESTION.

In reply to Mr. Dillwyn,

Sir HENRY SELWIN-IBBETSON said, that on the Thursday that Parliament re-assembled it was proposed to take the Civil Service Estimates, Classes 1 and 2.

CRIMINAL LAW—CONVICTION OF CHARLES NEVILLE.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether he intended to remit the sentence of 14 days' imprisonment which had been passed upon a person named Charles Neville for stealing a piece of firewood, value 1*d*., from the Manchester, Sheffield, and Lincolnshire Railway Company?

Mr. ASSHETON CROSS, in reply, said, he had communicated with the committing magistrates, and until he had received their statement he could not pronounce any opinion.

AFRICA (WEST COAST)—ISLAND OF MATACONG.—QUESTION.

Dr. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether the Government has yet received any information as to the occupation of the Island of Matacong by the French, as reported in a telegram from Madeira, published in that day's "Daily News?"

MR. BOURKE: Yes, Sir, we received yesterday an account from Mr. Consul Hopkins, who happens at this moment to be in Sierra Leone acting as British Commissioner on the Liberian Boundary Question, from which it appears that the French have taken possession of the Island of Matacong. The Governor of Sierra Leone is stated to have been absent at the time on a visit to the River Gambia; and Mr. Streeten, the Attorney General, who was acting for him, on receipt of intelligence of the proceedings of the French, immediately sent a protest to the officer in command of the French occupying Force. Her Majesty's Ambassador at Paris has been instructed to make representations on the subject.

PARLIAMENT—THE ADJOURNMENT.

QUESTION.

MR. FAWCETT asked what time the House would meet on Tuesday?

THE CHANCELLOR OF THE EXCHEQUER: I do not think it is very clear that we shall require to sit on Tuesday. My own proposal is that the House should rise on Monday. I think it would be the most convenient course that we should do as we have done on former occasions, and that I should make the Motion at the end of Monday's Business. This I shall do if we pass the second reading of the Army Discipline and Regulation Bill.

MR. FAWCETT said, he had not put his Question because he thought the Chancellor of the Exchequer might have been disposed to volunteer a statement on the subject. Since, however, the right hon. Gentleman had referred to the matter, the House might allow him to ask, Whether it was not contrary to all ordinary practice to move an adjournment for Holidays at the end of a Sitting? Such a Motion was usually made at the beginning of a Sitting. It was now all the more necessary that this practice should be adhered to, because of the Motion the Government had got passed in regard to the taking of Supply on Monday. He himself had supported this Motion; but it became doubly important that independent Members should not give up any of the other facilities they at present had for raising discussions. He wished to explain why he pressed this point. At the beginning of the Session the Prime Minister, in "another place," stated that the object of the Afghan War was accomplished; and the Chancellor of the Exchequer, in this House, stated that they had then reached a point beyond which they would not want to go.

MR. SPEAKER: I wish to point out to the hon. Member that he is going beyond the limits of a Question.

MR. FAWCETT said, he hoped the House would excuse him for a moment, and to put himself in Order he would conclude with a Motion. The right hon. Gentleman further said, in answer to the noble Lord the Leader of the Opposition, that Her Majesty's Government would soon be in a position to make a statement with regard to their Afghan policy. Nearly two months had elapsed since that time, and no such statement had been made. Rumours every day were reaching the country that a new and most important departure was about to be taken—a departure which, in the present position of Indian finances, might bring ruin upon her, and which certainly would involve most serious consequences. Under those circumstances, he was sure that the House would not think it unreasonable if, as an independent Member, he pressed the Government to name some time—he did not care whether it was this week or the week after—when they would be prepared to make their promised explanation of their Afghan policy. If they were prepared to say that they would do so soon after Easter, and they would meanwhile give an undertaking that no new departure would be taken, he should be satisfied, and he should be delighted not to have to trouble the House by bringing forward the Motion himself. Otherwise, he trusted the independent Members would offer their opposition to the Chancellor of the Exchequer's suggestion to deprive them of the opportunity of bringing forward questions on the Motion to adjourn for the Easter Recess. It would be an idle farce and a waste of time for him to raise the question when the Motion for adjournment was made at the close of Monday's Sitting. He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Fawcett.*)

THE CHANCELLOR OF THE EXCHEQUER: I can assure the hon. Gentleman and the House that it was very far from my intention to make any proposal that would exclude him or any other Member from raising any discussion he may wish upon the Motion for adjournment for the Holidays. I stated a few days ago that we should rise on Tuesday; but, subsequently, I had reason to believe that no Business would be taken on Tuesday, and that there was a disposition to promote the passing of the Army Discipline and Regulation Bill on Monday evening. Under these circumstances, it was my intention to have moved the adjournment on Monday; and I should naturally have done so at half-past 4 o'clock had I not received communications from certain Members—and among them one from the hon. Gentleman—that there were questions which they wished to raise on the Motion for the adjournment. If these questions were raised at half-past 4 they might easily run into a discussion, which would render the passing of the Army Discipline and Regulation Bill on that day impossible. I found, therefore, that I should be under the necessity of asking the House to sit on Tuesday, for the purpose of enabling hon. Members to bring forward their Motions, and I am still ready to fulfil that pledge. If, however, I should understand that it is not necessary to do so, I shall propose the adjournment at the end of the Business on Monday, as was done in 1870 and 1875. All will depend upon the character of the Notices that are given of questions to be brought forward on the Motion for the adjournment. With regard to the point on which the hon. Member has made a few observations, I wish to say this — when my noble Friend and myself made those statements to which the hon. Member refers, at the beginning of the Session, we stated that which was entirely our opinion. That was, that the Forces having advanced to the points at which they had arrived had attained practically the objects of the expedition. Subsequently to that there have been negotiations going on—I may remind the House of the death of Shere Ali, and the accession of Yakoob Khan—and those negotiations are still going on between the British Government and Yakoob Khan. There have been reports in the newspapers that those negotiations have been broken off, and that an immediate advance to Cabul was intended. I stated the other day—and I now repeat—that they are not broken off; on the contrary, they are actively proceeding; and, according to information we have received to-day, proposals of a very definite character are under discussion. Though we are not able to make these things move as fast as we could wish, I see no reason to suppose that they are not making material progress. Under these circumstances, there is no possibility whatever of our being called upon—at all events at present—to depart from the position which we have taken up. It is quite impossible for me on the part of the Government to enter into any details as to any movements which might be demanded by military exigencies, or to make that sort of engagement which would hamper us in the negotiations that are proceeding. But I say again that the negotiations are going on, and that they are by no means in an inactive state, and we are at this moment expecting further communications on the subject. I can conceive nothing more improbable than that there should be any departure from our present policy before the re-assembling of Parliament. Of course, we should be most anxious to take the earliest possible opportunity to make a full statement to the House on the subject; but I must leave the matter there. It is also to be distinctly understood that we have arranged with the Viceroy that no movement of any kind upon Cabul should take place without the most distinct orders from the Home Government. Under these circumstances, I would suggest what I think would be most for the convenience of the House—namely, that we should be allowed to make the Motion for the adjournment for the Holidays on Monday evening; but if there is any wish that there should be a discussion upon that Motion, I shall be quite willing to propose that there should be a Morning Sitting on Tuesday.

SIR GEORGE CAMPBELL said, he had no desire to controvert anything which the Chancellor of the Exchequer had said, because it was no doubt true that negotiations were going on; but they might go on indefinitely, and he very much feared that they might go on for a very long time yet. Meanwhile, however, something else was going on.

Almost every day they heard of engagements in which 200 or 300 persons were killed, and yesterday they had heard of a very serious accident which had occurred to the 10th Hussars. He thought, therefore, when these things were continually going on, it was only right that the House should be in a position to discuss this question, even although the negotiations were in progress.

Mr. **FAWCETT** said, he felt that the statement of the Chancellor of the Exchequer, though perfectly fair in itself, placed him in a somewhat responsible position. He could not, however, forget the misunderstanding—not to call it by any other name—which took place last Easter. The House then separated with an assurance, as Members thought, from the Chancellor of the Exchequer, that nothing unusual was going to happen; and yet they scarcely got 50 miles away from London when there occurred an event which all regarded as being of first importance. But he did not like to be constantly harping on the past. He was willing to say—"Let bygones be bygones." It was, however, extremely difficult for a private Member to take upon himself the responsibility of raising such a discussion as he wished to raise. He accepted the assurance of the Chancellor of the Exchequer that he considered it of the most extreme improbability that anything like a new departure from the present policy should occur before the re-assembling of the House after the Easter Recess. He also accepted the right hon. Gentleman's assurance that he would take the greatest possible pains that nothing should be done by the Viceroy without communication with the Home Government, and that if there should be any departure of policy the Chancellor of the Exchequer would, at the earliest possible moment, consult the opinion of the House. Under these circumstances, he could not incur the responsibility of raising a discussion. Of course, he was not speaking for the hon. Member for Kirkcaldy (Sir George Campbell), whose Motion with regard to Afghanistan said nothing about the future, but simply referred to the present. He (Mr. Fawcett) begged to give Notice that he should not raise the discussion which he had intended to raise.

The Marquess of **HARTINGTON**: Probably it could not be avoided; but still I think the statement of the Chancellor of the Exchequer has placed my hon. Friend the Member for Hackney in a position of somewhat greater responsibility than it is desirable should be cast upon a private Member. I think, however, my hon. Friend has exercised a wise discretion in the course he has just announced his intention of taking. I think the statement he has elicited from the Chancellor of the Exchequer is a very strong one indeed, and contains an assurance as strong as, under present circumstances, it is possible for the House to expect from the Government. It is, of course, not possible for the Government here to promise that military movements will not take place in Afghanistan which may be rendered necessary by circumstances arising there; but I do understand we have now from the Government a distinct promise that it is not their intention during the Recess to take any new departure in the policy of the Afghan War; and that they are not aware of any circumstances likely to render such a new departure necessary or probable. Under all the circumstances, and having got the assurance—an assurance which we hold from them from the earliest days of the Session—that as early an opportunity as possible will be taken of explaining their views with regard to Afghanistan, I think, until the Government are in a position to make that statement, we are hardly in a position satisfactorily to debate the question. I understand that the Government do not corroborate the report which appeared in the newspapers that an advance upon Cabul has been resolved upon; and, as far as I am able to judge, we shall be in at least as good, if not in a better, position to discuss this question when we re-assemble in Parliament after Easter, as we should be on Monday next.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EAST INDIA—(DUTIES ON COTTON GOODS).—RESOLUTION.

MR. BRIGGS, in rising to move—

> "That the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer it ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty,"

said: I will endeavour to avoid, as far as my subject will allow, making a long and prosy statement of the case. Am I wrong in supposing that the House of Commons dislikes a black and bristling array of figures? And, besides, the lines of most hon. Gentlemen who are doing me the honour of listening have fallen in very pleasant places, inasmuch as they are entirely unconnected with this unfortunate cotton trade, and to their ears, therefore, technical phrases—such as "water twist firm," or "shirtings remain dull and unchanged"—would convey a meaning altogether different from the one intended by those winged words. Luckily for me the case is not of a very complex or difficult character, and stands in need of no subtlety of argument, or far-fetched conclusion, to convince the House of Commons of the opportuneness and justice of the request I now make. Lancashire has never, since 1826, had to submit to such a prolonged and widespread depression of trade as she is suffering from at the present time. Against falling prices and feeble markets, overwhelming supply and shrinking demand, all effort, all suggestion, have been exerted in vain. Capital and labour — the great twin brethren of commerce—each believing in the soundness and justice of their peculiar views, have fought for the mastery, exhausting and expending their giant strength in fratricidal strife. But now regretting bitterly, in their want, the time and money spent in strikes and lock-outs, masters and men now stand aghast and amazed at the common ruin which seems to be enveloping them all, or clutch like drowning men at every straw which seems to indicate the turning of the tide. But mills are closing, and work is more difficult to obtain every day; and I have heard men of undoubted authority declare that, if a change for the better does not speedily arrive, the busy hum in the majority of our hives of industry will be stilled, and whole populations deprived of the means of earning their bread. I hope, Sir, that this may be too gloomy a view to take of the future; but at present there is no silver lining to the cloud, and Lancashire ought, I submit, to be excused if she examine, with greater interest than ever, the possible causes of her bad trade, and ought to be pardoned if she endeavour, by all the means in her power, to thrust aside any unjust obstacle to her commercial prosperity; especially if it be one which, like the odious India import duties, this House has on more than one occasion repudiated and condemned. If the Lancashire manufacturers and workmen are not now very wise about the causes of the present depression, it is for no want of suggestion and advice; and I tremble to think of what would have happened to us had we only swallowed one-half of the nostrums prescribed for our use. Practical men and theorists, lords spiritual and temporal, literary men of the highest eminence, and the unlettered and unwashed residuum, have all vied with one another in pressing their views upon us for our acceptance, as a means whereby the elasticity and prosperity of our trade may be regained. One suggests Protection, another Reciprocity, another teetotalism, a fourth increased and cheapened production, a fifth diminished remuneration to labour; whilst, on the other hand, amongst the heterogenous reasons given as to why we no longer enjoy our former happy condition, foreign competition, piece-work, wars and famines, depreciation of silver, extravagant living and idleness, find a place, and—unkindest cut of all—a stone is cast at us by the inhabitant of a vitreous and transparent residence, who declares that Blackburn rascality is the cause of all our trouble. Opinions amongst us differ widely with regard to all these things; but there is one matter upon which we are all agreed—masters and men, Liberal and Conservative—and that is that these odious import duties are an unjustifiable hindrance to our free commercial enterprize, and in the interest both of the Indian consumer and ourselves, ought not for a moment longer to be maintained. For the disastrous effects of famine, for the depreciation of silver—not to go into more debateable matters—Her Majesty's Government cannot, of course, be held responsible; but they can justly be called to account for the damage done to British interests by the maintenance of a noxious fiscal enormity which they themselves have in strong language condemned—duties which have long lost their harmless character, and which we say ought to receive a "happy despatch" at the hands of Her Majesty's Government. The duties of which I complain amount to somewhere about £750,000 to £800,000 a-year. A small sum, hon. Gentlemen may say, when we look at the vastness of our exports; but I have yet to learn that size is any criterion of the power to do mischief, and I shall show that in this instance the contrary is the case. Hon. Gentlemen who make use of that argument forget that if this amount of duty is small it will be all the easier for the Indian Treasury to spare it. Another fact which I wish hon. Gentlemen would bear in mind is that the Lancashire manufacturer does not pay this duty; let all who call us selfish remember that it is the Hindoo who actually pays the duty. It is the Hindoo who will be principally benefited by the total remission; for the House will see that, when these duties are abolished, English goods will come into direct competition with the Indian mills on equal terms, and, a healthy competition ensuing, prices will be lowered, and the consumer will benefit—first, by the lowering of prices on account of the remission of the duty; and, secondly, by the lowering of prices on account of competition. Let us, therefore, hear no more of the old "Fee-fi-fo-fum" argument, which erroneously assumes that we Lancashire Ogres want to grind the bones of the mild Hindoos to make our bread. Nothing can be further from the truth; the tendency of our action is to benefit the Hindoo, to increase his purchasing power, to give him cheaper chothing, and more of it. We do not attack the Hindoo consumer; but we do wage a war to the knife against the protected or bonussed mill-owners, who, in addition to natural advantages, wish to retain this burden on the shoulders of the people of India, not for the benefit of India, but to the detriment of India and for the sake of their own individual gain. I do not believe that if this duty were abolished to-morrow—as I hope it may be by the vote of the House—Lancashire would directly benefit one penny, except in this way—that the bonus of some £750,000 a-year would be lost to our Indian rivals. "Ah," but you may say, "it would also be lost to the Indian Treasury, which is poor." True; but the taxpaying public of India would have that much more to spend on the necessaries and luxuries of life, and by that much the Treasury of India would be benefited and recouped. No, Sir, we who are called selfish in this matter do not seek to impose a burden on the people of India; we seek to relieve them from taxation; and as the enormous damage which is done to our trade is an indirect damage, so the benefit which would accrue to us would be a great but indirect benefit, springing, not from transferring this sum or that sum of money to our pockets, but by the natural increase and development of our commercial transactions in consonance with those Free Trade principles which have been proved to be an unmixed blessing to those who enjoy them —principles to which the right hon. Gentleman the Chancellor of the Exchequer has on more than one occasion affirmed his allegiance. May I venture to hope that to-night we shall see him giving full vent to his Free Trade sympathies by walking into the same Lobby with the noble Lord the Leader of the Opposition. To show the House that the indirect injury which these duties do us is no phantom, I fear I must trouble hon. Gentlemen with a figure or two. The duty is nominally an *ad valorem* duty of 5 per cent; but, in reality, it comes to much more than 5 per cent. It is charged on the price of our productions, plus transit charges, packing, &c., &c.; and, besides, the tariff fixes a price upon our goods which we do not obtain, which, as the House will see, is a great injustice. For instance, 8¼lb. shirtings were taxed as if we could sell them at Manchester for 13½*d.* per lb. instead of 9 1-16*d.* T cloths (14 by 14) are supposed to have cost 12*d.* instead of 7¼*d.* "Mulls," which the tariff declares to have brought the manufacturer 25½*d.* per lb., are sold in Manchester to-day at 17¼*d.* per lb., making on those three articles the duty, instead of 5 per cent *ad valorem* duty, a duty respectively of 6·17 per cent, 7 per cent and 6·23 per cent. The tariff is, I am aware, revised from time to time; but it is generally guilty of a practical injustice, an injustice which tells quite as much against the Hindoo consumer as against ourselves. Again, under the present system there will always be disputes as to what is below the tariff and what is not, and merchants of the highest integrity are liable to heavy losses, if the Custom House Office should inform them that the goods they desire to send in free from any duty are a finer quality than they understood them to be. These are evils inseparable from the present system; but if they were the only grievance we had to complain of, those who oppose us would have some chance of indefinitely postponing the total abolition of this tax. Our grievance is more solid, and is not to be met by tinkering remissions of portions of the tax which have been proved to be protective. To be fair and just to us, seeing that there is now a great Indian manufacturing interest, this tax ought to be entirely abolished. Indian officials turn a deaf ear to us. Indian officials, who sanction vast expenditure of capital on unproductive public works, who can build expensive Viceregal residences out of current revenue, who always have money enough to enter upon hair-brained irrigation schemes at the cost of a famine-stricken people, who construct railways for military purposes, and erect unstable barracks, who, whenever a surplus may reasonably be expected, recklessly pledge the money on some work or other which may well be called extraordinary, acting as if India were one of the most opulent instead of one of the poorest countries in the world. But, Mr. Speaker, they lend apparently a willing ear to a powerful clique of shareholding monopolists, who, as we saw the other day, received a well-deserved snub from Lord Lytton. They object to all remission of all taxation, apparently, which does not benefit themselves, and do not even see the use of lowering the salt duties; object to the introduction of the Factory Acts, because they fear that the Government which is answerable for the moral and material progress of the country will prevent them working tender children and women from the time the Oriental sun rises in his splendour, until

> "Towards Heaven's descent he slopes his
> westering wheel,"

all the year round, not even giving them that rest on the seventh day which God, in His infinite wisdom, has declared to be necessary for the human race. The people of Lancashire selfish! Heaven forbid that our selfishness should extend as far as this. The people of Lancashire indifferent to the well-being and prosperity of the people of India! What nonsense! Why, our prosperity is bound up in theirs. If they are contented and prosperous, they contribute to our commercial prosperity and success; if they suffer, so do we; no one feels the effect of a famine or a depreciating currency more than we do; to no one would a repetition of the Mutiny be fraught with such disastrous results. Rest assured, that to all reforms which have the prosperity of India in view, Lancashire will willingly give her help and her co-operation. But the interested upholders and maintainers of these duties are selfish; they care nothing for the Hindoos in whose interests they profess to act; they consider only themselves in this matter. I do not wish to dwell on the reasons which brought about the remission of the Income Tax in India to men of wealth in the commercial world, and to the highly-paid officials of the Crown, and contrast with it the new Income Tax which ferrets out and touches incomes so small as almost to appear ludicrous to our Western eyes. I do not wish to enlarge on the fact that, whilst the Queen's servants are forbidden to accept presents above a small amount from Natives, so as to place them above the suspicion of being biassed, they are allowed to have an interest in these cotton mills, for whose sake, I am assured on the authority of Colonel Jackson, the Native is indirectly taxed to the extent of nearly £2,000,000 a-year; but I do say this advisedly—that those who have the management of these mills, and are answerable to the shareholders for their prosperity and success, desire to see this tax maintained not in the interest of Indian finance, not on account of the inhabitants of India, but because this is a drag and hindrance to the cotton industry of Lancashire, which is their rival and with which they have to compete. That their views are correct in this particular can be proved beyond a doubt. For example, a mill of 1,352 looms produced cloth worth £151,061 last year, and paid in duty £8,665; (2) number of looms 642, produce £69,000, duty £4,650, wages £12,650; (3) 1,500 looms, produce

£219,508, wages £12,100, duty £3,340. So the House will see the amount of duty paid in Indian imports is over a third of the whole amount paid for wages. Instances of this kind might be multiplied; but I am anxious to save time, and arrive at an early Division. Enough has been said to show that these men are not fighting a phantom. They well know that, by surrendering these duties, they are surrendering a very important "coign of vantage" to themselves. Even if that portion of the duty which is directly protective should be entirely abolished, the rest of the tax is a gross injustice, for you cannot tax one portion of a trade without prejudicing the whole; just as when you have cast a stone in the mirror-like surface of a lake, the disturbance caused by its sudden intrusion is communicated to the farthest shore. The increase of the India cotton industry, to us in Lancashire, is truly alarming. Each year some new and higher branch is attacked. Coarse goods were once set from this country; they have disappeared; the duty was repealed too late. As time went on, finer and finer qualities of our make were successfully attacked, the duty being lowered when the mischief was done; and at this present moment India mills make long-cloths, shirtings, dhooties, and madapollams, which are made of finer counts than 30's—practically helped by the import duty, and which will not be touched by the illusory remission which the Indian Government telegraphed over the other day. I give Her Majesty's Government every credit for desiring to carry out the scheme of remission; but their officials have not gone the right way to do it; they have taken the bit between their teeth, and run away, as other officials have done in South Africa. The estimated loss is but an estimate after all, and there was nothing to prevent them estimating a loss of £1,000,000, if they had been so inclined; but confining that remission to 30's and under is protecting and aiding the Indian manufacturer in his attack upon the medium class of goods to which I have alluded, and which are largely made of 32's. I suppose, Sir, we must wait until the Indian monopolists have a firm hold of this branch of our trade before this portion of the duty is removed. Government seem to think that justice has been done when the duty is remitted as soon as it becomes directly protective. Government hold our hands until our competitors get as strong as ourselves, and then let us go free. Sir, this is a wrong system altogether, and is condemned by Lord Salisbury's own words, for he says—

> "It is difficult to overstate the evil of permitting an industry like the cotton manufacture of India is certain to become to grow, under the influence of a system which a wide experience has proved to be unsound, and which is opposed to the deliberate policy of England."

I quite endorse that, Sir; it is most cruel and most unfair, both to the people of India and ourselves. If the mill-owner in India—helped by his many advantages, *quod longum narrare est*—such as cheap labour, cheap cotton, an absence of shipping charges, and a market at his door—is destined to supply the wants of the teeming millions of India at a lower cost than Lancashire is able to do, Lancashire must bow the head; but Lancashire, which has surmounted many a difficulty before by her courage and patience, will not now surrender, without a hard struggle, the position which her energy and skill have won for her in the past. All she asks from this House is that her strong arms may be unfettered, her thews and sinews have free play, and that, even in the interests of the people of India, this exotic growth of India mills may not be shielded by the action of a British House of Commons from the searching, though healthy, breezes of a free and open competition. Sir, we are always met by a *non possumus*. "Tell me, oh, tell me your pitiful story," says the Government, and then, having heard it, they proceed to refuse to give us sixpence, or, if they do give us one, it is of a dubious and problematical value, and then make a most skilful Financial Statement, showing that, with the exception of the precise sum necessary to meet current expenses, the Indian never had sixpence, has no sixpence now, and never will have one hereafter; and I cannot help feeling, on emerging from these financial shower baths, very much like Tennyson's *Northern Farmer* on Sunday—

"A' awlus went to th' church afore ma' Sally were deid,
I heerd the parson a bummin' away like a buzzard cock ower ma' heed;
A' didn't know what he meaned, but a' knowed as he'd summut to say,
And a' thowt he said what he ow't to ha' said, and a' coom away."

We know that the people of India are heavily burdened, and I have shown that they pay the tax which we seek to abolish; and if the Treasury cannot afford to lose this sum of money, surely it would be better to raise it by other means than these Indian import duties, which injure the consumers to a far greater extent than their nominal amount; for what would be the practical effect of the so-called remission, which was made the other day, after my Resolution had been placed on the Table of this House? Let me call the attention of the hon. Member for South-East Lancashire (Mr. Hardcastle) to it, because I observe that he calls it an "important step" towards the remission of these duties. The Indian manufacturer, safely entrenched behind the 5 per cent duty, can make the medium class of goods of 32's yarns without let or hindrance; but the English manufacturer, in order to obtain any benefit from the remission, will have to endeavour to make this class of goods, which are 60 per cent of the whole of our trade, from 20's weft to 30's weft and 30's twist; but he will be obliged to sacrifice his well-known marks and tickets, to alter his machinery, to alter his make of cloth, and to take on his shoulders all the risk and trouble of conforming to the duty and endeavouring to create a demand in India for a new and different kind of cloth to which the Hindoo—who, the hon. Member for South-East Lancashire will be glad to hear, is strongly Conservative in his opinions—is hitherto unaccustomed. And what about the workman in Lancashire? What will he think about it, when it is practically brought home to him—when he finds that the coarser materials he has to use will reduce his wages from 5 to 7½ per cent to keep well within the mark? He, no doubt, will consider this step most "important;" but in a different way to the one meant by the hon. Member. My great objection to the supposed remission by the Government is this—that it all rests upon the little word "if." If you can arrange so as to make a cloth which resembles the medium class of shirtings, and if the Government Cerberus will pass them; if you can induce the Natives to purchase your new cloth in preference to cloth of character with which he is acquainted and which is made by India mills, why then there will be a practical benefit. At present, only 2,000 looms will be benefited at all by the Government remission. Who thinks that an important step? Not Burnley, Blackburn, and Oldham; not the manufacturers of Lancashire; not the operatives; it is only the hon. Member who stands there in direct opposition to the whole current of public opinion in regard to a Resolution of this kind. Let the hon. Member remember Canute, and take care lest the angry waves of public opinion not only causes him to retire, but render unstable the seat he occupies. We are told that there are other duties which ought to be abolished first—the export duties, for instance. The export duty injures only one branch of the subjects of Her Majesty; but the maintenance of these cotton duties creates heart-burning and discontent, both in India and at home. The one great stumbling-block in my path are the salt duties, which press so heavily on the people of India; and I frankly admit that it is impossible to deny that they pinch the nation more than the duties of which I complain. But, on the other hand, these duties are not protective in their character. Foreign salt is admitted and taxed no more than the Indian salt; and although, as I have admitted, this tax presses heavily on the Hindoo, the Treasury get the full benefit of the impost. I am glad, Sir, to hear that steps are being taken to modify these duties, and I venture to hope that when the Government has made up its mind to spend less money, that these taxes will be lowered and lightened. We, who desire to see the cotton duty abolished, know the difficulty of imposing fresh taxation upon our Hindoo fellow-subjects without creating enmity to our rule. All this, and a good deal more, I dare say, my hon. Friend will point out with great clearness, and I admit it all; but I will just say this to him, which I dare say he will agree with—that a good deal more than the remission of the import duty on cotton goods might be done if only a wise economy were exercised, and the finances of India were carefully managed and controlled; for I respectfully venture to submit that unless you govern a poor country—and I will not deny that India is poor—with care and economy, you do it more harm than good. Your overweighted and highly-paid Civil Service; your cumbersome judicial system; your reckless and prodigal Public Works Department; your bloated Military establishment, all need reform; the very depreciation of silver, by which we suffer as much as you, is intensified by the drafts and bills with which you capriciously flood the market, in order to pay for the enormous Home Charges you incur. Railways, irrigation works, palaces, barracks, military roads, even empty show and a glitter like a great Durbar, may be necessary to a great country; but if that country be poor, expenditure should be closely watched and kept within bounds. You should take care lest in providing her with armour to combat the giant evils of famine, apathy, ignorance, and civil discord you crush her to the ground. What, Sir! you take the moral and material progress of India under your wing, you declare that you have come to govern the country for the benefit of India herself, and how do you show it? By plunging her into a war of annexation with the origin of which she had nothing on earth to do. You burden her finances, you clog the wheels of progress, you spend her money lavishly on military expenditure, and then you turn round and declare yourselves incapable to carry out a peaceful and necessary fiscal reform which you have promised to carry out. We ask you to-night to carry out a peaceful reform, a reform which will lighten the burden of the swarthy millions under your control, and earn the gratitude of thousands of the industrious inhabitants of this Island. Remember that the triumphs of peace are more lasting than those of war. Let this one bright spot shine through the dark and sulphurous canopy which seems to overshadow your rule. I leave it to the conscience of hon. Members; let not their answer be—

> "Conscience is but a word that cowards use,
> Designed at first to keep the strong in awe—
> Our strong arms be our conscience, swords our law."

Mr. SIDEBOTTOM: Sir, in seconding the Resolution so ably proposed by my hon. Friend (Mr. Briggs), I do not intend to weary the House by repeating at any length the arguments I have addressed to it on previous occasions. Both Her Majesty's Government and the House generally have practically admitted the injustice of these duties, and that they ought to be entirely repealed; and it cannot, in fact, be denied that they are both a serious tax to consumers in India, by whom, in the first instance, they have undoubtedly to be paid, and also greatly injure the cotton trade of this country by restricting the demand, and depriving us, to a great extent, of the full advantage of the Indian markets; and I wish to take this opportunity of thanking the Government, and of expressing my very great satisfaction at the concession which has already been made. That concession may not possibly be in a form palatable to everyone; but it at least offers a premium for the manufacture of pure and unadulterated cloth, and is calculated to discourage the manufacture of heavily-sized goods. I, for one, accept it with gratitude as an instalment of the still greater boon which will, I trust, soon be granted to us in the entire, absolute, and unconditional repeal of these duties. Much has been said on former occasions, and probably will be repeated now, as to the poverty of our fellow-subjects in India, of the heavy taxation already imposed upon them, and of their inability to bear further burdens, and this really affords one of the strongest arguments for the abolition of these duties, that the Natives of India may be, as soon as possible, relieved from a tax upon clothing, which, next to food, is their chief necessary of life. But I do not attempt to deny that it is chiefly from an English manufacturer's point of view that I wish to press this question upon the attention of the House. As I stated upon a previous occasion, these duties are of the enormous amount of 5 per cent, and being levied upon the gross value of the goods, constitute a heavy tax upon the whole turnover of British manufacturers. That tax amounts to half the wages paid to our weavers for weaving the cloth, and is, in fact, neither more nor less than a bonus of 3*s.* per loom to every loom working in India. And surely we are sufficiently handicapped in other ways. Where Indian cotton is used, we have to convey it from India to England, and then convey the goods back to India, paying commissions, merchants' charges, and freights both ways. Wages here are eight or ten times as much, and mills in India are working about 80 hours a-week, whilst English mills are only allowed to work 56 hours. The immense importance of this one fact alone cannot, indeed, be too strongly impressed upon the House. I will not enlarge on the necessity for a Factory Act in India; remarks from an English mill-owner on such a subject would be open to misinterpretation; and I am sure that the gross injustice of enforcing restrictive laws upon us in England, whilst our competitors in India have practically no restrictions imposed upon them, must be sufficiently obvious, to say nothing of the poor children there being entirely uncared for. I wish, however, to repeat a statement I made when I last had the honour of addressing the House on this subject—that, without taking into account the immense advantage of these longer hours, the owner of a cotton mill of 1,000 looms in England, making cloth for India, is placed at a disadvantage of £7,500 a-year for duty, £14,000 for charges on various kinds of cloth, and £5,000 charges on the importation of the cotton, supposing it comes from India, or a direct advantage of £26,500 per annum to an Indian mill of the size I have stated. But the gross injustice of these duties being admitted, I apprehend the real arguments we have to deal with are that this is an inopportune time for their repeal, and that the Indian Exchequer cannot bear their loss. Now, the second part of the Resolution of my hon. Friend affirms that—

> "The expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission."

I wish specially to guard myself against accepting that in a Party sense, or as wishing to cast blame upon Her Majesty's Government, even in a remote degree, in reference to that war. My main and chief reason, indeed, for accepting that part of the proposition is that I consider the total repeal of these duties so very important, both to Indian consumers and to the cotton trade of this country, that nothing ought to prevent or delay it. I do not for one moment wish to enter into the policy of the Afghan War. It was, in my opinion, unavoidable, and I am sure we shall all heartily rejoice when it is brought to a satisfactory and honourable conclusion. A vast military expenditure in India also, it cannot be denied, is absolutely essential to the maintenance of our rule there, though I think there should be a strict supervision over this expenditure, and it should be kept within bounds and curtailed as much as possible, and as far as is compatible with safety; but it does seem to me to be monstrous that this expense should fall upon Lancashire, or that we should be called upon to balance the Indian Budget; and if it can be shown that any such obligation does really rest upon us, it would be better to pay the amount in hard cash by a direct tax upon our mills, than in the present most objectionable form. But it will, no doubt, be asked, how is the deficiency in the Revenue to be made good? Well, this rests with those whose special duty it is to manage the finances of India, and who are responsible for its government; but it appears to me that if the Natives obtain their chief article of clothing at less cost, they will be better able to bear the slight amount of additional taxation rendered necessary, and it would be certainly more just and equitable to place a tax on machinery in India in order to equalize the burden, and cause Indian mills to bear their proper share, rather than for Lancashire to be placed under such serious disadvantages, and saddled with such onerous burdens as are now indirectly placed upon us. There is no doubt whatever, also, that whilst the poorer classes of our fellow-subjects in India are heavily taxed, landlords in Bengal, and generally the higher classes —many of them possessed of almost fabulous wealth—are one of the most lightly-taxed classes in existence; and, whilst security is afforded them for the possession of their enormous revenues by the solidity of our rule, it certainly seems only reasonable that they should bear their fair and proper share of the burdens of the country. By looking in that direction, we should, I think, discover an ample field for replacing any loss to the Revenue, either by the imposition of an Income Tax, or by any other method of taxation considered advisable; or, if that be objected to and considered undesirable, impracticable, or impolitic, the obvious course for the Indian Government to pursue is the course which common sense indicates, and, indeed, enforces, in the case of private concerns and public companies in this country—namely, to reduce capital account. An immense sum is expended every year in India on public works, said to be re-productive. Last year this amount reached a total of £4,790,000—nearly £5,000,000; in the present year, it will, I suppose, be much about the same, and though we are told it is to be reduced next year, it is estimated at about £3,500,000. Well, it is said to be open to doubt whether a large portion of these works are really re-productive, and, at all events, I think a stringent check over this capital expenditure ought to be established, either by an annual return of the specific works contemplated, or an annual capital account showing the income realized or saved in consequence of each re-productive work. Probably a saving might be effected in this direction which would go far to compensate the loss of Revenue. The Debt of India is also, I suppose, £130,000,000, or only about three times the amount of the Revenue, whilst the Imperial Debt of the United Kingdom is about 10 times the amount of the Revenue; and a further Indian Loan raised in this country would have the immediate effect of improving the exchanges, which is so greatly to be desired. In fact, the very expectation of such a loan, as foreshadowed in the Notice given by my hon. Friend the Under Secretary of State for India a few days ago, caused a substantial increase of business. No doubt, interest on such a loan would accrue, and have eventually to be paid; but then we must not forget there would be time to tide on, and there is every reason to hope that the exchanges would in the meantime improve, either by securing more bountiful harvests, and there being consequently a larger volume of exports from India, or by the resolute adoption of that course which is, no doubt, the true remedy, and which cannot be too strongly pressed—by a reduction of Expenditure—and the trade of this country, as far as Lancashire is concerned, would—at all events, temporarily—be lifted out of the mire; and this in itself is no mean advantage. I will not pursue further this intricate subject of exchange, particularly as another opportunity for considering it will shortly be presented; but whether this proposal of a loan be carried out, or whether some other means be adopted for balancing the Indian Budget, no more opportune time could, I think, be selected for the total repeal of these import duties, or a time when it would be a greater boon to suffering thousands, and be more gratefully received. The cotton trade of this country, affording, as it does, employment directly and indirectly to 2,000,000 of people, is in a state of partial paralysis. Never before, in its whole history, was such an intense state of depression known, and unless a change rapidly takes place, the distress and lack of employment, already sufficiently serious, seem likely to be greatly aggravated. Many firms have been for a long time unable to sell a quarter of their production, and I can assure the House that large works in Lancashire are being carried on wholly and solely for the sake of the operatives. We may be told that as many goods were shipped to India last year, notwithstanding these duties, as ever. This statement is, perhaps, literally true; but the arguments founded upon it are very fallacious, and the impressions sought to be conveyed, and the conclusions and deductions sought to be drawn, are utterly and entirely erroneous. Goods have been shipped to India in very despair, in the forlorn hope that something might happen to enable them to be sold, and, in many cases, it is to be feared for purely financing purposes. A succession of merchants, at one time millionaires, have gradually dissipated colossal fortunes by hoping against hope and continuing to ship goods to India. Some have succumbed, and many have retired from the trade to save the remnant of their fortunes and avoid irretrievable ruin. Few manufacturers ship goods themselves; stocks in their hands have, therefore, accumulated to an enormous extent, and the time does not seem far distant when many establishments must perforce be closed, and thousands of operatives be thrown upon the rates. But we are continually told that the present state of things is the fault of the manufacturers themselves, owing to our goods being deteriorated in quality from heavy-sizing, and it is argued that, therefore, these duties ought not to be repealed. Well, no doubt heavily-sized goods are very extensively made; but of all the arguments which have been brought forward against the repeal of the Indian import duties, I think this is the most illogical and misleading. Why are these heavily-sized goods made at all? Simply because of their cheapness, and because, in consequence of these unjust import duties and other causes, the Natives of India have been unable to pay the cost price of pure and properly made goods. I do not wish to take too gloomy a view of our depressed circumstances, or to exaggerate the crisis, which is serious enough; but I feel I should ill perform my duty to the constituency I have the honour to represent, to the district from whence I come, and to the class to which I belong, if I did not emphatically press upon the attention of the House the extreme gravity of the position of the trade of this country. We had a most interesting discussion the other evening in reference to the depression in agriculture; and the real truth is, whether we turn to the right hand or to the left, whether to agriculture, to the coal trade, the iron trade, the silk, flax, woollen, or cotton trade, scarcely a single ray of light has yet pierced the overshadowing gloom. The daily Press teems with accounts of bankruptcies and liquidations; a close and fierce competition is waged with us by foreign nations for the little business left; in consequence of the longer hours worked abroad, the lower rate of wages paid, and hostile tariffs, we find the greatest difficulty in successfully competing. The streets of our manufacturing towns are thronged with operatives vainly seeking employment, wages are rapidly falling, and though the people have sufficient intelligence to know that this unhappy state of things has been brought about by causes utterly beyond the control of Government or of employers, the suffering, though silently borne, is none the less acute, and the discontent, though smouldering, is none the less deep. These are the circumstances under which my hon. Friend brings forward this Resolution. I wish its original terms had not been changed, or the clause about the Afghan War inserted, because it is easy to conceive that this may be interpreted and construed in a Party sense. I am deeply grateful to the Government for the boon they have already conferred upon us; no previous Government has evinced the same desire and wish to do justice alike to Indian consumers and Lancashire producers; and in supporting the Resolution, I do so in no narrow or restricted sense, but, believing that these Indian import duties are wrong and indefensible, I am in favour of their total repeal.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty,"—(*Mr. Briggs,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ERNEST NOEL asked the House to carefully consider the position of India, and not the woes of Lancashire. This Resolution dealt with the finances of India, and not those of England. They were asked to withdraw from the Treasury of India no less a sum than £750,000 a-year. He entirely sympathized with much that had fallen from his hon. Friend (Mr. Briggs), although he thought there were a few fallacies in his speech which he assumed to be facts. He assumed that this tax was one that bore heavily upon the Indian people. He (Mr. Noel) was ready to confess that if that portion of them who bought Manchester goods could obtain them for a smaller price it would be an advantage to them; but he ventured to say that up to this time the tax which had been imposed upon these goods had not been severely felt in India. Whatever might be the view in Lancashire, the fact was that it was regarded in India in a very different light. He had to ask the House carefully to consider what would be the effect if this Motion were to be carried, and the duties were to be abolished. The Government would have to give orders to carry the Resolution into effect—not when there was a surplus from which they might remit this taxation, but, whether there was a surplus or not, the tax was to be remitted. His opposition to the Resolution was occasioned entirely by the present position of the finances of India. He believed that at the present moment there was a deficit, and it would be very unwise to abolish the tax in the face of a deficit. It would be found that the Famine Fund of £1,500,000 had vanished last year; and they had been told by the Chancellor of the Exchequer that a sum was to be lent to India by this country that was to be repayable in seven years, which would add another £350,000 a-year to the Home Charges in England. Therefore, before there could be a surplus in India, they would require an extra Revenue of £1,850,000. He denied that this was an opportune moment to attempt to deal with this question, because if such a Motion was carried it would mean putting more taxes on in India. Last year the House was called upon to consider a licensing tax, and that unpopular tax was vindicated on the ground that the necessities were such as to require that a Famine Fund should be raised, and one must be raised. It was owned that the tax was an extremely onerous one to the people of India, and that it could be hardly justified; but it was known that Sir John Strachey had the best intentions towards the Natives, and that he had chosen the least onerous tax he could fix upon. Therefore, if further taxation had to be levied in consequence of the repeal of these duties, it would follow that a more onerous tax than that of a licensing tax would have to be levied on the people of India. It was to be remembered that India was a poor country, and could hardly raise another shilling, and the Debt of £150,000,000, which was small compared to our English Debt, was to our Indian Empire a very serious burden. He knew something of the people of Lancashire, and he watched their noble conduct at the time of the cotton famine; and he ventured to say, if the people of Lancashire really understood the character of the demand contained in the Resolution, their answer would be—No; they would rather their cotton mills should stand than the people of India should be so additionally burdened. There were other causes besides the Indian tariff which affected the cotton trade of this country. If this tax were removed to-morrow, the cotton trade of Lancashire would not burst out into prosperity; and while the repeal might do England a comparatively small amount of good, it would put some most onerous tax upon the people of India. They being already overburdened, to add even a very little more to the taxation might render it most embarrassing to those who were responsible for the administration of the Government. If the men of Lancashire wished these duties taken away, let them rise and say there was one thing they would have in India, and that was economy. Let them say they were not going to have wars of aggression; and then, perchance, these duties might be repealed. Let them demand that the Expenditure of the country should be diminished; and the moment there was a surplus the Government would be too happy to meet the wishes of the people of Lancashire.

MR. HARDCASTLE—who had an Amendment on the Paper to move to leave out all the words after "this House," and insert the words—

> "Views with approval the recent reduction in these Duties as an important step towards their total abolition, in which Her Majesty's Government are pledged"—

said, that he agreed with the Resolution of the hon. Gentleman in the form in which it was first placed upon the Paper, for it simply claimed the fulfilment of the promise that these protective duties should be abolished when the state of the Indian finances would permit; and the last Indian Budget had shown a surplus, which made it the duty of those concerned to remind the Government of their promise. But it was not in their interests he had made an addition of a controversial character, for the Government had not put forward the Afghan War as a reason why the duties could not be abolished. The hon. Member had introduced an element of discord which, in the interests of his constituents, and of the manufacturers of Lancashire, he had better have left out. It was idle to put two things which had no connection with each other into juxtaposition with a tendency directly hostile to the Government. It was not wise in the people of Lancashire to show ingratitude and hostility to the Government which had conferred such benefits upon them. The intention of this addition to the Resolution was pretty well shown by the close of the hon. Member's speech, in which he said the Government could not fulfil their promise because they had locked up their funds by this Afghan War. This was about as reasonable as it would be to say to a certain nobleman—"You had better have entertained your friends than set fire to your house." If the war were necessary and defensible, the question whether it should be entered upon would not be affected by the existence or abolition of the cotton duties; and it was idle to put the two things together, as if the one could have affected the other. It was unreasonable and injudicious to express hostility to the Government that had so long and so consistently laboured for the removal of these duties. Despite the untoward events in the recent history of India that had retarded her progress, the Government had not lost sight for a moment of the importance to Lancashire of the remission and abolition of those duties. The hon Gentleman had objected to the word "important" in his Amendment. He desired to put on record his sense of obligation to the Government; and it should be remembered that a step might be important, though it might not bring one to the end of his journey. The reduction of the duties by £200,000 a-year was an important step; and although it would have been better to have taken a percentage off all goods, instead of taking duty off coarse goods and leaving it on finer goods, he believed the full text of the Budget Resolution of the India Council, when it reached this country, would show that the change made was more advantageous as regarded the class of goods shipped to India than at present it was supposed to be. The general question was important, not only to Lancashire, but also to the country at large. Every branch of trade was seriously handicapped; the tariffs of foreign nations and of some of our Colonies were increasingly hostile to our export trade; and with what face could we urge the reduction of their tariffs while we maintained protective duties in India, which was practically governed from this country? Much as he regretted that the question had been prejudiced by the addition made to the Resolution, he trusted the first part of it would be agreed to.

Mr. JACOB BRIGHT said, that the people of Lancashire were often charged with sending forth adulterated goods, and it appeared that charges of that kind were often recklessly made by persons who were not well informed upon the subject. These attacks were not favourable to the trade of Lancashire, and tended to make people think in this country and elsewhere that it was not safe to buy Lancashire calico. There was another side to the picture, and he would try to give it to the House. The hon. Member for Preston (Mr. Hermon) was in his place, and he (Mr. Bright) hoped the hon. Gentleman would correct him if he did not speak correctly. Now, he ventured to assert that the best calicoes in the world were produced in Lancashire, and could be produced in any quantity. Many most competent to judge who were in Paris last year maintained that the cotton goods exhibited by England were superior to those produced by any other country. It was a great mistake to suppose that goods of the best description could not be obtained in this country. The hon. Member for South-East Lancashire (Mr. Hardcastle) expressed great pleasure at the change in the Indian tariff. That hon. Gentleman seemed to forget that the hon. Member for Blackburn (Mr. Briggs) said in his speech that he (Mr. Hardcastle) was the only man in England who was grateful for the change. He (Mr. Bright) represented many people deeply interested in the subject, and who were not at all grateful for the change. There were men who understood this subject in all its bearings, and who had made calculations which showed them that the remission of duties which the Government had made would only amount to some £20,000 or £30,000, whereas the Government asserted that it would amount to £200,000. He agreed with the last speaker as to the unsatisfactory manner in which the duties were altered. It would have been very much better, and would have given more satisfaction, if the Government had proposed a gradual diminution from year to year in the whole cotton tariff. What was the effect of what the Government were doing? It appeared to him that they were establishing differential duties between one class of manufacturers and another. Some of the manufacturers of Lancashire could introduce their goods free of duty into India, while others would have to pay a considerable duty upon what they produced. This would have the effect of producing heartburnings and discontent wherever the influence of the course adopted by the Government was felt. The Government was making the mistake which was made a generation or two ago. They were now legislating so as to interfere with the manufactures and industries of the country. Some time ago, when a man wished to build a house, he had first to consider what the tax-gatherer would say about it, because the more windows the greater the yearly impost; and if he wished to ride in a carriage, he could not do so in the one which pleased him most. To save expense, it was necessary that he should ride in a springless vehicle. Now, while windows and carriages were free, the Government said—"You may take shirtings to India, but whether they go in free or not depends upon what you put into them." The consequence of this was that those who had hitherto made shirtings in accordance with the requirements of the Indian people would have to make cloth not so much esteemed. He should like to ask any practical man in that House, how it was to be determined what goods should be taxed and what goods should go in free? When the warp was sized, as it had to be sized, without any intention to adulterate, it was not easy to determine the exact fineness, because it was, to some extent, disguised. Who was to decide upon such matters? If the Custom House officers were to perform the duty, he would defy them to carry it out satisfactorily. The question had been treated sometimes as a very paltry one. Seeing that if one-half of the people of the country were to have food they must have it from abroad, and pay for it by exchanging manufactures, any impediment placed in the way of trade by the Government injured the people by taking from them employment, and, consequently, making it difficult for them to live. Reference had been made by the last speaker to our commercial relations with foreign countries and our Colonies, and to the general tendency to raise duties. He might be wrong, but he held the view that if the Government were anxious to bring about a better state of affairs in our commercial relations, they could do so if they only gave as much attention to the task as they did to making one Bulgaria into two. If more attention were only paid to international matters connected with trade, much might be done which was now left undone. An opinion had been expressed in the course of the debate that they should deal justly with Indian interests on this question. Well, he thought that they should look to the interests of India; but nobody could persuade him that they were wrong in attempting to defend English interests. Were they to be at all times liable to enormous sacrifices on account of India, and have no counter-balancing advantage? It might be shown that India was not only a burden, but a gigantic burden, to this country; and if it was to continue a burden, and nothing was to be placed to the other side of the account, then the bond between India and this country would be greatly weakened. India, beyond doubt, was a great burden to this country. We fought the Crimean War because statesmen said it was necessary to do so in defence of India. For the past two years we had been on the verge of a great war in defence of India. We had entered into a Convention with Turkey for the defence of her Asiatic dominions, and were bound under it to fight, if necessary, Russia single-handed, all in the interests of India. We had entered into a war with Afghanistan, because of some imaginary danger to our Indian Frontier; and we had entered into an arrangement with France about Egyptian finance, which might, in the future, lead to complications and difficulty. This, again, was in the interest of India. He was there to maintain that, if India was a burden on this country, they had to look to English as well as Indian interests. When they came to look at Lancashire, and saw the people heavily taxed for Imperial purposes, he thought they were justified in saying that the interests of Lancashire should be guarded, and that trade with that great Dependency should be made as free as it was possible to make it. Something had been said about the impoverishment of India, and that the Government were afraid to do anything on that account; but seeing that the Government were never afraid to enter into war in every quarter of the world, seeing that impecuniosity never closed the hands of the Government in regard to things that were evil, the people of Lancashire could not admit the excuse offered by the Government for the continuance of the duties. They demanded that something should be done in their favour. So long as they had factories standing idle, so long as they had thousands and tens of thousands wanting food, so long as they had men working for reduced wages and industries stopped, so long would they continue to press upon the Government that the interests of Lancashire required attention, and should be no longer neglected.

MR. HERMON observed that, whatever might be said on the matter, and whatever the discussion might lead to, he could assure the House that there was a deep feeling in Lancashire in reference to it—a feeling which was even more strongly participated in by the operatives than by the masters. He could speak upon the subject candidly and impartially, because that branch of the trade affected him not at all, or, at least, very slightly. The question might arise—"What was there to complain of?" What was protested against by the Lancashire operatives and Lancashire mill-owners was that a monopoly was created for the benefit of the mill-owners in India at the expense of both India and this country. They had carried on the monopoly from their own point of view, and without any idea of benefiting the Hindoos. He thanked the Government for the remissions they had given; but he regretted that they had not seen their way clear to make such a concession as would affect the general manufactures of the county. The full benefit of the reduction, which they were told would amount to £200,000 per annum, would not be obtained by the English manufacturer for many years. The great secret of the reduction of taxation in India was a firm adherence to economy in every point. He considered the Resolution of the hon. Member for Blackburn, as it originally stood, would have had larger support. But he could not help regretting that the hon. Member had added to his Resolution a reference to the Afghan War, and he would advise him to withdraw that part, and accept the suggestion of the hon. Member for South-East Lancashire (Mr. Hardcastle). He would not altogether adopt the words of the hon. Member for South-East Lancashire, because he would have it appear that the House viewed with satisfaction the recent reductions. He thought such words would be inappropriate, as the House could not view the continuance of the duties at all with satisfaction; and, therefore, he would suggest that it be set forth that the House looked upon the recent reduction of the duties as an important step towards their total abolition. He hoped that the Government would see their way to adopting such a variation of the terms of the Resolution; because he should be sorry to have to vote on the question, inasmuch as Her Majesty's Government had shown themselves anxious to meet the views and the wants of Lancashire when they were not opposed to the necessities of India. In Lancashire they only wanted fair play and no favour. They were quite willing to run the gauntlet of competition with any country in their manufactures; but when they found they were flooded with goods on the one side, and prohibited from exporting, by a duty of this kind, on the other, they regarded it as a rather hard case. He therefore trusted the Government would see their way to abolish these duties, and would yet be able to accept the Resolution before the House in a modified form.

Mr. HIBBERT repudiated the idea that the Resolution had been drawn in, or that those who, like himself, supported it, were actuated by a spirit of hostility to the Government. The words to which exception had been taken on that ground were simply intended to meet the objection that the expenditure on the Afghan War rendered a remission of these duties impossible. His hon. Friend the Member for South-East Lancashire (Mr. Hardcastle) would hereafter propose an Amendment to the Resolution; but he thought they could scarcely say that they viewed the reduction that had been made in these duties with satisfaction. If some words could have been added to the Resolution of the hon. Member for Blackburn to the effect that that House considered that a further reduction of 1½ per cent in the duties should be made, it would have been desirable. The remission recently granted was not regarded with satisfaction; because, instead of amounting to £200,000, as was intended, he was assured by competent persons that it would only amount to from £15,000 or £20,000 per annum. [Mr. E. Stanhope dissented.] That was the opinion of Mr. Raynsford Jackson, notwithstanding that the Under Secretary of State shook his head. His constituents were more deeply interested in the question than, perhaps, any other persons in Lancashire, inasmuch as there were 8,000,000 or 9,000,000 spindles employed in Oldham; and they contended that the remission already made would afford scarcely any relief at all to them, for the remission had been made on coarse goods, in which we could no longer successfully compete with the produce of the Indian mills. If, instead of the remission which had been made, the Government of India had taken off 1 per cent last year, and

1 or 1½ per cent this year, they would have given much greater satisfaction to the industry of this country than they had done by the course which they had adopted. He trusted, therefore, the Government would re-consider the mode in which they had proceeded, for he was sure they had no desire to injure the trade of Lancashire. He thanked the Home Government for what they had done. They had been anxious to give a remission of this duty. Both Lord Salisbury and Lord Cranbrook had shown the greatest desire to deal with this question. At the same time, the House would do no harm in bringing every pressure upon them, and enabling them to put more pressure on the Government of India. As to the poorer classes in India, although the hon. Member for Hackney (Mr. Fawcett) was always eloquent on their behalf, they had no means of making their voice sufficiently heard on the question, notwithstanding it was one very deeply affecting them; for while on all the cotton goods imported into India from England a duty amounting to between £700,000 and £800,000 a-year was levied, a corresponding increase of price was charged by the mill-owners in India on the goods which they manufactured, so that the Indian people, in reality, paid a tax of between £1,000,000 and £2,000,000 on the clothing which they wore. It was not at all a question between Lancashire and the people of India, but between the Government and the people of India. He quite concurred with those who contended that it would not be right to ask for the remission of duty unless the finances of India were in a position to bear the change; but he was informed that there was this year a surplus of something like £800,000 which was available for the purpose, which was one the carrying into effect of which had been promised by two Secretaries of State, and which had been unanimously approved by that House. It was a question, he might add, which, if not settled soon, would lead to the careful investigation, not only of our military, but all other sources of expenditure in India on the part of the manufacturing classes. There were, he knew, hon. Members on both sides of the House who feared that if the duties were abolished additional taxation must be laid on the people of India; and the hon. Member for Dumfries (Mr. E. Noel) said that if the people of Lancashire knew that such would be the result, they would hesitate before they asked for a boon at such a price. Well, he knew that the people of Lancashire as well as the hon. Member or as any man could; and he knew that they would not ask for a remission of the duties if their demand was not a just one so far as they were concerned, or if it would work at all unjustly towards the people of India. But if the duty were necessary on account of the expenditure in India, why should Lancashire bear the whole brunt? As their demand was founded upon justice and right, he trusted that the House would support, and the Government accept, the Motion of his hon. Friend.

MR. MAC IVER said, he had placed an Amendment upon the Paper which, by the Rules of the House, he was not in a position to move. He would, however, read its terms, as they were expressive of his views. He intended to have asked the House to say that, in their opinion—

> "No protective tariff as against our Home industries should be permitted in any portion of the British Empire, and that we should, as far as practicable, trade with the rest of the world, and particularly with our own Colonies and Dependencies, on principles of reciprocal Free Trade."

Some of the speeches which had been made, and particularly those of the Mover and Seconder of the Resolution, were, he thought, notwithstanding their excellent intention, based upon a representation which was entirely erroneous. The assumption of those speeches was that if the Indian import duties were totally abolished, then again would Lancashire manufacturers become prosperous because of having a market in India for their wares. He would not have much difficulty in showing that there was no real foundation for that hope, and that under unqualified Free Trade Lancashire must be beaten out of the field by India. The reason was that in India they had cheaper cotton than at home; they had cheaper labour than at home. Machinery was taken out from this country to India, he believed, without being subject to duty, and coal was not dear. In fact, they had everything in India except two things. They had not at present got the same skill as in Lancashire, and they had not got at present long-staple cotton; but they would soon have both, and when they had it would be impossible for Lancashire to compete with India with any hope of success. He believed the time would come when it would be considered necessary to see whether our condition could not be improved by a policy somewhat different from that which was deliberately adopted 33 years ago, and which it became more manifest every day was an utter and hopeless failure. What did the free traders of other countries mean? They meant reciprocal Free Trade so far as it was the interest of their country. What was the present effect of those duties? One of the largest importers of manufactures in India had written to him saying that the tax on cotton manufactures was, in his opinion, a very fair one, though his interests would lead him more than any other man in India to think otherwise. He (Mr. Mac Iver) quoted that to show what was the state of opinion in India at present. *The Bombay Times* pointed out that the Lancashire mill-owners, not satisfied with drawing from India a revenue nearly equal to that of the German Empire, desired to procure the abolition of the import duties on cotton, though they knew that those duties did not act, and never had acted, as protective duties. The same authority argued that Manchester, if she were wise, would be content to leave well alone, and be content with a trade which gave her a monopoly in fine goods, instead of worrying India with the knowledge that she could compete successfully, duty or no duty, with the mill-owners of Lancashire. What Mr. Cobden and what the right hon. Gentleman the Member for Birmingham (Mr. John Bright) hoped for from Free Trade was very different from what the adoption of the policy had resulted in. The right hon. Gentleman had recently written a letter, in which he spoke of the advocates of Reciprocity as "simpletons who had no memory and no logic." With every respect for the right hon. Gentleman, he would remind him that abuse was not argument. Let the right hon. Gentleman look to those in the House and out of it who supported the policy he condemned, and he might see cause to change his view. He alluded more especially to the father of the House of Commons, the hon. Member for Glamorganshire (Mr. C. R. Talbot). The same views were also held by the hon. Member for Birmingham (Mr. Muntz). Surely such people as Prince Bismarck and the late M. Thiers were not exactly fools. He (Mr. Mac Iver) was no Protectionist, but rather a disappointed would-be Free Trader. He believed that Reciprocity was one of the necessary conditions of Free Trade, and that a war of tariffs would not necessarily result from the adoption of that principle. He contemplated no war of tariffs. The principle he advocated might be expressed in the words "mutual advantage;" and he thought that in every bargain made with foreign countries, or our own Colonies, the main object to be kept steadily in view should be the common interests of this great Empire. If they were to have Free Trade in any real sense negotiations must be entered into, for they had tried unqualified Free Trade, and it had hopelessly and utterly failed. He thought the House should bear in mind that the predictions of political economists, and even of Adam Smith himself, had in several cases not been verified. He believed there was a reason why these import duties should be maintained. It was a reason which he certainly learnt in Bombay, and which he believed to be entirely well founded. There were reasons social, as well as reasons financial, which should compel those duties always to be maintained. Their Lancashire friends might talk as they pleased, and the Government might give a pledge, as they had done in perfect good faith, that they would do what they could to abolish these duties; but that was a policy which they never could carry out. The reason was that on whatever good terms we might be in India with our immediate neighbours in the Native States, yet there were circumstances affecting the whole Peninsula which rendered it necessary to maintain a Custom House, and but for these import duties in some form or other there would no longer be any colourable reason for the examination of such goods as might be imported into India. There was a real danger—not perhaps at the moment, but always present to those who lived in India—that arms and ammunition would be sent inland to the Native States, if it were not for the safeguard of the Custom House, which rendered everything taken into India liable to examination. That might not seem to hon. Members a sufficient reason for retaining the duties; but if they asked anyone who had lived in India, or if they went there themselves, they would find that, after all, there was something in it, and that the Indian import duties for that reason alone could never be entirely abolished. If it were practicable to abolish these import duties, he thought they ought to be abolished; but he did not believe it was practicable, and he was quite sure the people of India were, as a rule, opposed to any measure of that kind. No doubt they would be equally opposed to an Excise duty on Native manufactures, which, though it was repudiated by their Lancashire friends, was the only means by which they could hope to meet the manufacturers of India upon equal terms. He hoped that at some not very distant day it would be more possible than it was now for the House to take a broad view of this question, not only as regarded India, but as regarded our Colonies, and to see what could be done for the extension of real, true Free Trade as between every portion of the British Empire, and, as far as possible, to maintain it with the rest of the world.

MR. MUNTZ wished to recall the House to the Resolution of the hon. Member for Blackburn, and, to use his own words, he never knew so selfish a Resolution brought before the House. The duties now charged were very moderate, and were only about two-thirds what they had been originally fixed at by the Indian Government when it took over the country from the East India Company. They were in want of Revenue, and imposed a duty of 7½ per cent, now reduced to 5 per cent upon goods of every description, and he did not see why any particular favour should be shown to cotton. If the duty on cotton goods were abolished, it would be only fair that duties should be also abolished on goods of every description, and that the Indian Exchequer could not afford. He could not understand on what ground Lancashire produce should be placed in a peculiarly advantageous position. A great deal of sentimental affection for the poor Indian peasant had been professed by advocates of that Motion; but he thought it would be better to get rid of all such pretexts and to say at once that the men of Lancashire and Cheshire took up that question simply because they wanted to cease paying that duty. Instead of attacking that duty of 5 per cent in India, why did they not bring forward the case of the Canadian tariff, which imposed far heavier import duties? In the Dominion a Parliament had been returned by popular election for the avowed purpose of largely increasing the existing high duties. Why, then, did not the hon. Member for Blackburn move an Address to Her Majesty, praying Her to withhold Her assent from any legislation of that kind passed in Canada? The hon. Gentleman knew that would be of no use, because the Canadians possessed a system of self-government; whereas the poor Indian had no one to represent him in that House, and must pay the last farthing of taxation without saying one word. He commended the attention of the supporters of this Motion to the fact that a duty of £2,500,877 had been paid in India on Cheshire salt of the value of £450,000. Talk of a 5 per cent duty on cotton goods! What did they think of the duty of over 1,200 per cent imposed on salt in Madras? Before they cried out for the repeal of a paltry duty of 5 per cent for a selfish purpose, let them consider the unhappy peasant in India, who paid so enormous a tax on such a first necessary of life and health as salt. He was, therefore, totally opposed to that Motion, which, he thought, ought not to have been brought forward. The cotton trade might now be depressed, but so also were the iron, coal, and wool trades, and that was the case in most other countries as well as in this. Although the state of trade was lamentable, they would not make it much better by doing an act of injustice to the people of India.

MR. ASSHETON admitted that the manufacturers of Lancashire wished to get rid of that duty because they did not like paying it; but instead of the duty being only 5 per cent, as alleged, he understood that when worked out practically it really came to something between 6½ and 6¾ per cent. He hoped that the suggestion made by the hon. Member for Oldham (Mr. Hibbert) would not be lost on the Under Secretary of State, and that they might look for a considerable reduction of the duty beyond that already promised by the Government. The manufacturers would be better satisfied if 1 per cent were taken off this year, 1 per cent more next year, and so on, until the duty was gradually abolished. It was said that £200,000 was now about to be remitted; but that he understood to be an excessive calculation. He had heard the remission computed at about one-tenth of that amount, and certainly it would be nothing like £200,000. Some years ago, when Lord Salisbury was at the India Office, a promise was given that the first surplus of Indian Revenue would be applied to the reduction or total abolition of these duties; but outside of the House there was an impression that the Indian Government had had surpluses with which they had remitted other duties. With reference to the observation of the hon. Member for Blackburn that a Lancashire Member who did not protest against these duties would render his seat unstable, he must remark that although he could not altogether agree with that, yet he would say that Lancashire men would not be doing their duty if they did not bring forcibly before the House what Lancashire believed to be a strong case. They might be mistaken; but in the borough he represented the feeling against the duties was universal. The hardship and injustice of these duties would be seen when he mentioned that they fell, not upon England as a whole, but upon some three-fourths of Lancashire and a small part of Cheshire, Derbyshire, Yorkshire, and of Scotland, or, say, only 1-16th of the population of this country. What would be thought of a proposal to assist the Indian Exchequer by increasing our railway passenger duty? Yet this was a perfectly analogous case to that of the duties in question. He regretted that the hon. Member had introduced into his Motion the reference to Afghanistan, and he at first thought it must have been introduced for Party purposes; but he was glad to learn that that was not so. The question had not the remotest connection with the Afghan War. He did not wish to say anything harsh of the Government. He was thankful for what they had already done; but he wished to impress upon them the great desirability of their holding out some prospect of a yearly reduction of these duties. People would rejoice to be able to look forward to the end of them, even if it were in the distant future. He intended to vote for the Motion; but, at the same time, he distinctly and entirely repudiated the paragraph referring to Afghanistan.

General Sir GEORGE BALFOUR said, he could not but express his satisfaction at the sympathy which had been expressed in the course of the evening with the people of India; but he would prefer seeing active and real aid in preference to hearing mere words. In all comparisons between the quantities imported into India of the cotton manufactures of Lancashire and those articles forming the manufactures of India, it should be borne in mind that the Indian manufactures were produced now at greater cost than formerly, by reason of the heavy taxes imposed on the people of India resulting from the extravagant cost which the Government of England entailed on India by costly establishments. He should support the Motion for abolishing the Customs duties, but not with the view of doing justice to Lancashire, but because he desired to force the Government to make reforms in the present financial arrangements, which would be of benefit not only to England, but to India; and also, by making all trade in India free from all Customs duties, thereby extend the trade and productions of India. On a previous occasion he, (Sir George Balfour) had shown that, by former differential duties on Indian produce, England had not dealt fairly with that country; and he regretted he had never heard the Lancashire Members raise their voices against the abominable tax on salt, from which over one-sixth of the entire net Revenue of India was raised, and which pressed with cruel severity on the poor Natives; nay, more, the salt trade of Cheshire was actually favoured by the mode in which the salt tax was levied in India, so that a large supply of Cheshire salt was sent to India, though the salt of India could be supplied at a small fraction of the Cheshire price. He thought the denunciations they had heard with regard to the high tariff were unworthy of those hon. Members. He doubted whether, in any part of the world, there was a tariff more favourable to our manufacturers than in India, and it especially contrasted with the Canadian tariff. He remembered the time when his friend Sir Henry Pottinger was fêted in Manchester, and presented with a service of plate, for obtaining from the Chinese a tariff for our goods far less favourable than the tariff of India as it at present stood; and as he (Sir George Balfour) had a knowledge of the drawing out of that tariff, and practically saw its working, he must assert that it was, though very favourable for us, far inferior to the Indian tariff. He denied that there was any foundation for the statement that the cotton manufactures of Lancashire imported into India had fallen off in quantity or in value; he would even say, taking into account the altered values assigned to them, that there was a considerable increase. And so far from the duty on Lancashire goods having fallen off, he found that the duty obtained from them in the last year for which the Returns were made out amounted to £934,138, while the duty obtained in the average of the previous seven years amounted to £941,765, this being the largest sum collected since 1868. That proved that the trade had not fallen off, notwithstanding the prevailing depression. There had already been a reduction of the duties on Lancashire goods introduced into India of late years, but the data had not yet been made public; and he had confidence that the Government would soon proceed with the much-desired measure of freeing India from all Customs duties, and probably begin to carry out their promise to abolish the cotton duties altogether. These duties averaged upon the whole about half of all the duties levied on the other imports into India. If the cotton duties were taken off, only import duties to the extent of about £800,000 would be left—a sum so insignificant that he would not desire to see it retained. He thought the Secretary of State could modify the incidence of the 5 per cent and the 3 per cent duties now levied on the values of the cotton goods in question by altering the values of the several articles of cotton goods, and, by so doing, so far meet the views of the Lancashire manufacturers. But this was only a part of a great change in the trade with India, and Lancashire had never asked for this change. He believed the salvation of India depended upon extending the trade of India both internally and externally, and he therefore hoped that India would be made entirely a free port. A Resolution to effect this would be a wise measure for both India and England. At present, he (Sir George Balfour) calculated that after making allowance for all known charges for collecting the Customs duties, and by guessing at the charges which were known to be incurred for various purposes in connection with these Customs, the average net receipts for all Customs, sea and land, import and export, did not exceed £2,000,000 per annum. And in that amount he might justly urge that several of the sums we received from duties were as nothing compared with the impolicy of checking the extension of valuable trades. The notable duties on indigo and on rice exported from India might be mentioned as being most unwise. These were produce which other countries also produced, and necessarily competed with the taxed commodities of India. From a financial point of view alone, it would be better for our commerce with India to be free, in order to increase our cultivation in India; and it was wholly undeniable that the embarrassed condition of Indian finances constituted a real danger. He submitted that it would be, politically, a wise thing if England could extend her commerce in India and Afghanistan and into Central Asia, particularly considering that an increased commerce, together with an improved means of communication, would enable us to compete with Russia in Central Asia. Nothing would be of greater benefit to the people, or more interfere with the designs and power of Russia in that quarter, than by diminishing the Russian commerce, which formed so influential a motive for Russia occupying Central Asia. Whatever measures we could adopt for removing the barriers of our trade with India would be a remedial step in advance, which it would be the highest wisdom on the part of the House to make. That the financial state of the country demanded such a policy was sufficiently obvious, for all the heads of Indian Expenditure had increased except the Military. Sir John Strachey stated that the Civil expenditure had been reduced by £1,500,000, but that was incorrect; for, instead of being reduced, that branch of the Service had been increased, still he (Sir George Balfour) could not say but that it was now too high——

MR. SPEAKER said, that he must remind the hon. and gallant Member that the Motion of the hon. Member for Blackburn (Mr. Briggs) was the Question before the House.

GENERAL SIR GEORGE BALFOUR apologized for the digression, remarking that his object was to show that there was Civil as well as Military expenditure in India that admitted of such reductions as would enable the Government to free the exports and imports from all these vexatious duties. His experience justified the expression of his strong conviction that the Government might effect a large reduction in the Expenditure in India if they acted rightly, and that saving would enable them to make India a free port. If they waited for a surplus of Revenue before doing this, they would wait till everlasting. He should vote for the Motion, in the hope that it would compel the Government to make these reforms in India.

MR. SERJEANT SPINKS said, he wished to say a few words on a subject so nearly affecting his own constituents, and on which most of them felt very strongly. He had presented a Petition to the House, signed by a very large number of both employers and operatives, upon the subject; and he could not help concurring in many of the remarks made by his hon. Colleague (Mr. Hibbert) as to the impolicy of the course pursued by the Government in their manner of making the reduction—namely, according to the quality of the goods and not by a percentage. It seemed to him that, by so doing, they had given advantages to some localities which were not obtained by others, and he particularly referred to his own town, where little or no benefit would be obtained by the manufacturers and operatives. The hon. Member for Birmingham (Mr. Muntz) said that this was a selfish Resolution; but there was a doubt, when the welfare of a community was at stake, whether selfishness was not a virtue. At any rate, Lancashire was not the only part of this country in which selfishness existed, for the hon. Member for Birmingham had complained of the import duties into India on many other commodities, some of them, no doubt, the production of his own constituents. If selfishness was that quality which induced men to look very carefully, but not unfairly, after their own interests and the interests of those connected with them, the manufacturers of Lancashire were undoubtedly open to the charge of acting selfishly. But all the people of Lancashire asked was that, having founded a great and important Empire, having built it up, consolidated and maintained it, and being still prepared to maintain it, they should not have to suffer from heavy duties which greatly interfered with and depressed the commerce and industry of England generally, and of Lancashire in particular, and which, at the same time, were injurious to the people of India on account of the increased price which the imposition of these duties necessitated for articles of common utility. Surely it was not unfair to demand the abolition of duties which bore so heavily upon the manufacturers, operatives, and general industry of Lancashire. The next question was, could the abolition be effected with justice and fairness to the Revenues of India? They had heard a good deal lately of gloomy forebodings and dismal prognostications in regard to the affairs of India, and this had been so driven into the public mind that people were beginning to think there was some truth in the observation, and that the state of Indian finance was so bad that India could not afford to be generous, and that, in the case of these import duties, she could not even be just. He had never shared in these gloomy views with regard to the finances of that country. It must be remembered that in five years India had gone through two famines, and the starvation of the people meant destruction to the commerce of the country. After those unparalleled calamities, an extraordinary deficiency in the Indian Revenue might reasonably have been expected; but, at the present time, it was doubtful whether there was not even a surplus. With a normal season, and normal and copious harvests, and with a cessation of the war that was now being waged, and possibly less pressure upon the Indian Exchequer by the depreciation of silver, brighter times might be expected in that country. He should vote for the Motion in no spirit of hostility to Her Majesty's Ministers. On the contrary, he wished to thank the Government, in his own name and in that of his constituency, for the kindness and consideration they had shown to the people of Lancashire; and he hoped that Her Majesty's Ministers would have the courage of the opinions which he believed they entertained, and would remove at once the very objectionable duties which had formed the subject of debate. Their doing so would give great hope and encouragement to the people of Lancashire in this dark hour of their adversity, which he trusted was the darkest because just before dawn; for it would encourage them to know and feel that the Government, in the midst of all their anxieties and difficulties abroad, had thought of the labouring classes at home, and had done their best to minister to the necessities of a suffering population.

DR. KENEALY thought the Government might fairly give some promise which might induce the hon. Member for Blackburn (Mr. Briggs) to withdraw his Motion, which, as it stood, conveyed an expression of censure on the policy of Her Majesty's Ministers in regard to Afghan affairs. They might do so for several reasons. It was stated, without contradiction, that the depression of trade in this country at the present time had never been equalled since 1826. Unless we did something to conciliate the people of India more than we had hitherto done, we might expect the greatest danger. Her Majesty's Government, by accepting the Resolution, he believed, would go far to conciliate a great number of the people of this country and of Hindostan, and to some extent relieve the present depression of trade in Lancashire. If they would not do that, they might at least, as he had said, give a promise which would be satisfactory to the Mover of the Resolution. He heard with regret the reason given by the hon. Member for Birmingham (Mr. Muntz) for not supporting the Resolution. The hon. Member said he admitted its justice, but would not support it, because it did not extend to the silk manufactures—probably, he meant also the hardware manufactures—of the country. But a measure ought not to be opposed because it did not go far enough. Why did not the silk manufacturers and the hardware manufacturers act with the same energy as Lancashire, and lay their grievances before the House of Commons?

MR. ONSLOW said, the hon. Member for Birmingham (Mr. Muntz) had stated that Her Majesty's Government had done nothing for the commercial prosperity of this country. That hon. Member, perhaps, was the only man on his own side of the House who would not credit Her Majesty's Government with caring for the commercial interests of this country. He (Mr. Onslow) intended to vote against all the propositions before the House, and would impress upon hon. Members the necessity of considering the matter, not in a partizan manner, but as a great national question. With the responsibility of a Member, and knowing something about India, he intended to give his vote that evening against what he could not help thinking would be a somewhat iniquitous reduction of Indian Revenue. If the policy of the hon. Member for Blackburn (Mr. Briggs) was carried out, it would impose a heavy loss upon India—a sum which she could never hereafter recoup; and, therefore, in the interests of India, he deprecated the action which it was proposed to take. It was with regret he had heard it said that night that India was a gigantic burden on England. He hoped the majority of the House would never think that India had been a gigantic burden on England. He looked upon India as the brightest jewel in the English Crown, and he hoped the day would never come when it would be lost to the British Crown. It had been said that this import duty had yielded merely £750,000 to India. What would the Chancellor of the Exchequer think if he lost in the English Budget "merely £750,000?" and in a country like India, surely £750,000 was a sum which you could not afford to give up. The people of India were at the present time taxed to the utmost extent they could bear, and he could not see any just taxation by which the £750,000 which would be sacrificed by the abolition of these duties could be recouped. He heard to-night that Lancashire operatives took a great interest in this question. He had no practical knowledge of Lancashire operatives; but if they did take an interest in this matter, it was because their masters, the mill-owners, had put it into their heads. ["Oh!"] If Lancashire operatives were let alone, he did not think they would care a straw one way or the other as to this question. He thought the Marquess of Salisbury had gone beyond prudence in promising the Manchester manufacturers that when the finances of India permitted this duty should be remitted; and he considered that to be the only mistake which the noble Marquess had made during his tenure of Office as Secretary of State for India. He was not there to discuss the question of economy in the Administration of India; but if hon. Members thought that they could by any economy reduce these duties, they would take what he could not take, and that was a very sanguine view of Indian finance. He would press upon the House the importance of Indian finance, and he did not believe that that finance could long bear the strain which was being continually imposed upon it. He defied anyone to say that the finances of India could bear this reduction at present, or were likely to do so in the future. The imports of Indian tea amounted to 40,000,0000 lbs., which, at 6*d*. per lb., produced £1,000,000, or about one-quarter of the whole amount paid to the Chancellor of the Exchequer for the tea duty in this country. If the hon. Member opposite and his supporters wished to have Free Trade in India —and he was not one to deprecate Free Trade—in cotton goods, why not bring forward a Motion to reduce the duty on tea and coffee imported into India? But they did not wish to have that, because it was well known the House would never consent to the reductions he had specified. No consideration was shown to India; and he felt compelled to say that his Lancashire Friends had made out no case why the House should show any consideration whatever to them. These duties had been stated to be injurious to England and India alike. He failed to see how they could possibly be dangerous to India. On the contrary, he believed many years would elapse before India could do without them. The duties at the present time were not protective; the duties were merely on the finer kind of cloths, and, therefore, fell only on the well-to-do people. The duties had nothing to do with the poor classes in Bengal, or any other part of India. Therefore, he hoped no humanitarian cry would be raised. He believed that it was on account of the adulteration of these cloths that a spurt was given to the trade in India. Many of the cloths were adulterated with size and other articles he could not mention, and were it not for this adulteration there would be very little competition with the Bombay traders. It was not, then, owing to these duties that there had been destitution in Lancashire, as alleged by the hon. Members; it was owing to the operatives, who endeavoured to strike against their masters.

[Mr. Briggs said, he had referred to the time of the cotton famine.] Complaint had been made that in India the operatives worked 80 hours, whilst in England they worked only 56 hours; but in Belgium and Germany the operatives also worked 80 hours per week, but no complaint had been made of them. In his (Mr. Onslow's) opinion, the Lancashire people had only a sentimental grievance, if they had any grievance; and looking at the interests of this country, and certainly to the interests of India, he did trust that hon. Gentlemen around him would vote against each one of the Resolutions, and though, no doubt, they would be defeated, they would at least be able to raise a protest against what he could not help thinking would be very much to the detriment of the people of India.

Mr. J. K. CROSS said, he agreed with the hon. Member who had just spoken (Mr. Onslow) that if the duties on cotton were the same as those on tea they would not be protective. The main objection of the Lancashire manufactures was that they were protective; and although four years ago, when he (Mr. J. K. Cross) brought this question before the House, Her Majesty's Government denied that they were protective, they had since changed their opinions, because Sir John Strachey, in his Budget Speech made on the 13th of last month, plainly stated that these duties must be repealed, as they were protective. The hon. Member for Guildford seemed to think that the trade of Lancashire had been injured by the use of size and other ingredients in the manufacture of cotton. It might be asked, did the hon. Member know anything about size? Perhaps he did not know that from the commencement of the cotton trade until now, never under any circumstances had a single piece of cotton goods of the shirting or long cloth class been made without a proper mixture of size. He should say that Bunkum in Parliamentary oratory might be regarded as the equivalent of size in the cotton manufacture; and, although he should be sorry to impute to any Member of the House that he spoke to Bunkum, as the Americans expressed it, he must say that the speech of the hon. Member had contained a good quantity of Parliamentary size. The noble Marquess the Secretary of State for Foreign Affairs (the Marquess of Salisbury), not long ago, said that at some future time, when the finances of India admitted, the duty on cotton goods would be repealed; and the noble Viscount who now presided at the India Office (Viscount Cranbrook) had recently announced that there would be an Indian surplus of £2,250,000. That being so, his hon. Friend the Member for Blackburn (Mr. Briggs) was perfectly justified in coming forward and saying that now was the time for the Government to fulfil and to redeem that promise. All questions connected with India resolved themselves more or less into questions of finance. Sir John Strachey, in his Budget Speech, had stated that no extra taxation was proposed in India, because the change in the value of gold and silver which had disturbed the satisfactory condition of Indian finance was under the consideration of the Home Government, upon the invitation of the Government of India. It seemed as if Sir John Strachey blamed the change in the value of gold and silver for the evils which had come upon Indian finance. It would be more correct to say that many of those evils were due to financial mal-administration. Council drafts on India were another way of selling silver; and when we found that those drafts had increased to such an enormous extent during the last few years, we could understand how silver had gone down, while gold had remained stationary or had advanced. The Indian Government were the largest silver merchants in the world, and their sales must necessarily affect the price of silver. He contended that these duties were protective; though, as he had said, when the same question was raised four years ago, the Government held they were not. He hoped the Government would see its way to accept the proposition of the hon. Member for Blackburn.

MR. E. STANHOPE said, the debate that evening had taken a very wide range; and if he did not refer to many of the subjects which had been discussed it was not because he did not regard them as subjects of importance, which might fairly be considered by the House, but because he desired to come as soon as he could to the real subject before them. He would not, therefore, touch on the silver question, although he should be ready to discuss it when the proper time came. He must express his thanks to the hon. Member for Dumfries Burghs (Mr. Ernest Noel) for having kindly abstained from going into any discussion on the Indian Budget until they had full details from India. He had detected, he thought, from the Resolution of the hon. Member for Blackburn (Mr. Briggs), that he had some little idea of introducing a political and Party element into the discussion; but after the eloquent and poetical speech delivered by the hon. Gentleman, he was bound to say that it was evident such was not his intention. Believing, however, that the hon. Gentleman had at heart the desire of getting rid of these import duties, he must say he had shown a somewhat unfortunate method in endeavouring to do so; because after the hon. Member for Manchester (Mr. Birley) succeeded by his able advocacy in inducing the House to come to a unanimous agreement on the subject, he had now succeeded in endangering that unanimity, and in running the risk of showing that the House of Commons was not of one mind on the matter. They had heard from various quarters the expression of an opinion as to the greatness of the distress which existed in the manufacturing districts. It was impossible for anyone not to feel the deepest sympathy with that distress; and it was equally impossible for anyone having the means not to desire to do something to alleviate it. He would go further, and say that the connection between England and India was so intimate that anything which affected Lancashire must re-act on the interests of India. But he was not going to look at the question so much as it affected the interests of this country as, representing India, he was bound to do in the interests of India. On that subject the opinion of the Government had always been plain. The hon. Member who had just sat down (Mr. J. K. Cross) seemed to suggest that the Government had made a discovery and changed their opinion; but that was not the case. In 1874 his noble Friend (the Marquess of Salisbury), then Secretary of State for India, thought that the duties should be repealed, and in February, 1875, he received a deputation on the subject; and it was for the first time declared by a responsible Minister that, "in justice to India no less than in justice to England, these duties ought not to be permanently maintained." Lord Salisbury, writing, on May 31, 1876, said, after reviewing, from a purely Indian point of view, the objections to these duties—

> "Whether, then, the question be regarded as it affects the consumer, the producer, or the revenue, I am of opinion that the interests of India imperatively require the timely removal of a tax which is at once wrong in principle, injurious in its practical effect, and self-destructive in its operation."

That being the opinion of the Government in 1874, they had never varied in regard to it; and when the time came for the opinion of the House to be taken—when the hon. Member for Manchester moved a Resolution on the subject in 1877, it was accepted unanimously by the House. Therefore, in 1877, the Government and the House of Commons were practically unanimously committed to the removal of these duties. But it had been suggested that though the Government had declared their opinion, and sent out directions that this tax should be reduced or repealed, as soon as the finances would permit, there was a hitch in India. So far from that being the fact, no one was more determined to carry out this reform than Lord Lytton, backed, as he was, by his Financial Minister, Sir John Strachey. What said Sir John Strachey? Speaking of it in his Budget Statement for 1877-8, Sir John Strachey said—

> "I altogether disbelieve that there is in this matter any conflict between Indian and English interests. I am satisfied that these interests are identical, and that both alike require the abolition of this tax."

The hon. Gentleman who had just sat down said they declared in December last they had a very large surplus in the last financial year, but they had not devoted it to the reduction of this tax. How had their policy been carried into effect? He contended that the Government had fully kept the pledge which was given by the Marquess of Salisbury and himself that the first surplus in the Indian finances should be applied to remitting that tax. In December last he stated that at the beginning of the year a surplus of something like £2,000,000 had been anticipated, which included £1,500,000 of Famine Insurance Fund, and £500,000 of Reserve Fund for contingencies; but that more recent information had obliged them to reduce that amount to a very considerable extent. It had, however, turned out that the estimate he then made was very much under the mark, and the amount they had been able to save towards the Famine Fund during the last year was very much in excess of what he anticipated. But to return to the cotton duties. Even the most cursory observer must admit that it was obviously impossible to remit all the duty at once. That was simply out of the question; but the Government of India had fully considered what could be done in the way of reducing it; and without waiting to go deeply into all the points requiring consideration, they resolved in 1878 that they would remit the duties on the coarser description of cotton and yarn, which were then known to be undoubtedly protective in their nature; and they did repeal them. That gave a remission of something like £20,000 a-year, and it was the first real step towards a remission of these duties. It was perfectly clear they could not stop there. The following resolution was passed by the Directors of the Manchester Chamber of Commerce on the 27th of March, 1878:—

> "The Directors of the Manchester Chamber of Commerce regard the action of the Government of India, in exempting coarse yarns and goods from import duty, as a first step towards the complete abolition of these duties, which they hope soon to see accomplished. As the Government of India has elected to proceed towards the contemplated end by partial exemption, rather than by affording general relief, with the avowed object of removing the protective incidence of the duties on the particular goods and yarns which the Indian mills, by reason of their natural advantages, are suited to produce, it is obvious that the list of free goods requires to be materially added to."

This resolution pointed to what the Government of India practically proposed. They found that there was little essential difference between the goods that were exempted from duty and others, though called by a different name, which still remained subject to it; and the limit they had proposed at the moment could not possibly remain. They decided that it was necessary to make an exhaustive inquiry into the matter, and they had ascertained what the facts were. The result was rather remarkable; for it turned out that what the Duke of Argyll had described as a Manchester delusion was an absolute reality, and that there did still remain goods in respect of which these duties operated as a direct protection. What the exact point was at which that protection began was a difficult question; it was investigated by the Committee; and the House now laboured under the disadvantage of discussing the question before the Report of that Committee had reached England. So far as he had been able to gather the facts, the mills in India did not spin anything finer than 28's; he did not mean to say that they might not in certain cases do so, nor that they were incapable of doing it; but it was ascertained that, as a matter of fact, the limit was somewhere about 28's, and the Indian Government had fixed upon 30's as the limit of fineness at which the line should be drawn. That exemption had involved a loss ultimately of £200,000 a-year, although it might not exceed £150,000 in the first year. Beyond that, they had made a revision of the tariff which would involve a further loss of £31,000. The limit which had been arrived at by the Committee was also that suggested by the Chambers of Commerce of Madras, Calcutta, and Bombay. As to the suggestion that the relief instead of being £200,000 would be only £20,000 a-year, he had that day had a conversation on the subject with a gentleman of the highest authority, whose name he was not at liberty to mention, who admitted that what the Government of India had done was very much misunderstood in this country, and that goods were being admitted which would not come, according to the interpretation which he had at first been disposed to place upon the terms of the exemption, within the limits laid down by the Government. Until exact information was received, he must ask the House to suspend its judgment. He could say, on behalf of the Government, that it was not their intention, nor that of Lord Lytton, to give with one hand and to take with another; and when Lord Lytton said that he intended to give a *bonâ fide* remission of £150,000 for the first year, he did so because he believed that that would be the result of the remission he had given, and it was his intention to give effect to it so far as he was able to do so. They had been asked why they were going to do this now? The reason was, that they had discovered the direct protective action of those duties upon a certain class of goods, and therefore steps could not be taken too soon. The trade was in jeopardy, and they could not wait till it was destroyed before they took action. He happened to notice not long ago an argument against these remissions put forward by the Madras Chamber of Commerce, and the main objection was that they would cheapen the cost of goods to the Indian consumer. This was a very important consideration, which had hardly been brought out sufficiently in the debate. He had no doubt the effect of this revision would be most advantageous to the Indian consumer. Then, as an alternative, it was proposed that the Government should remit 1 or 1½ per cent all round. The Government of India had given their most careful consideration to the suggestion; but there were several difficulties in the way. Having, in the first place, made certain exemptions, if they were to remit 1 or 1½ per cent all round, they must put on the duty again on the particular class of goods on which the duties had been remitted; and, besides that, they would be giving relief to manufacturers whose productions had no direct protection to contend against, while leaving partly unredressed the case of those against whom these duties operated in a distinctly protective manner. If he was able to explain the action of the Indian Government imperfectly, the reason was that the discussion had been brought on before full information had been received. But although they had not the details before them, they had before them the principles upon which the Government of India had acted. Those principles had met with the entire approval of the Government at home, who were determined to support the Government of India in the course they had adopted. But when they came to the question of giving a distinct pledge as to the future, he must ask the House to consider the difficult position in which they were placed. They had the great difficulty in the condition of the Exchanges, which was an element they could not fail to take into consideration; and there were other difficulties with respect to Indian finance. Bearing those in mind, it was absolutely impossible to give any pledge as to what they might be able to do in the course of next year. But what he would say was this—that they did not for one moment regard the action they had taken as final. They looked upon it only as a step towards the object which they hoped to achieve; and they were determined to press on that policy as circumstances would permit, and as the financial condition of India would justify them in doing. The House was placed in some difficulty by the manner in which the Resolution was submitted to them. The Government could not accept it as a whole; they had no objection to the first part; but they could not accept the part that related to the Afghan War. He would suggest a course that might be adopted to meet the difficulty. The Motion was put down as an Amendment to go into Committee of Supply; and when the Question was put that Mr. Speaker do leave the Chair, he would suggest that they should say No, in order that the Resolution which was on the Paper as an Amendment might become a substantive Motion. That would give the House perfect freedom of action in the matter; and if the two parts of the Resolution were put separately, the first part might be accepted, and in that way they might be able to steer through the many difficulties that arose out of the Resolution and the Amendments which were on the Paper, and arrive at a conclusion which would be satisfactory to the House generally.

Mr. FAWCETT thought the hon. Gentleman the Under Secretary of State for India (Mr. E. Stanhope) had advised the House to take a somewhat unusual and confused course. It seemed to him (Mr. Fawcett) that those who objected to the Motion of the hon. Member for Blackburn (Mr. Briggs) had but one clear course open to them, and that was to meet it by a direct negative. In saying that, he hoped he might not be considered to be more in favour of protective duties than the hon. Member himself. He (Mr. Fawcett) had given proofs, both in and out the House, that no one was more attached to Free Trade than he was; but it was not simply sufficient to show that the duty was protective, and then demand its immediate repeal, regardless and reckless of the financial condition of the country. It was not necessary for him to enter into a discussion of Indian finance to show that it was absolutely impossible for the finances of India to bear the sacrifice of Revenue which was now contemplated.

At the present moment that country not only possessed no surplus, but had to face one of the heaviest deficits that ever perplexed a Finance Minister. A more unfortunate moment, therefore, could not have been chosen by the hon. Member for Blackburn for asking the House to pledge itself to a sacrifice of £750,000 a-year of Indian Revenue, without the slightest indication as to how that Revenue was to be replaced. The Under Secretary of State for India had exhibited throughout his speech great anxiety to show that the Government were regarding their promises in repealing the duty on cotton goods this year to the extent of £200,000. What was the use of the hon. Gentleman arranging the figures of Indian finance in such a way as to show there was a surplus? Did the hon. Gentleman not see that he was proving too much? Yes; the Government might be regarding the promise which Lord Salisbury had unfortunately made at Manchester, and which, on more than one occasion since, had been repeated to besieging deputations; but the Under Secretary of State forgot to remark that the policy which the Government were now pursuing of partially repealing these duties at a time when they were asked to give borrowing powers to the Indian Government to raise £10,000,000, when the Viceroy was about to raise no less than £5,000,000, and when the Chancellor of the Exchequer had announced on the previous night that he was going to the aid of India with a loan of £2,000,000 without interest, making a sum of no less than £17,000,000, was directly flying in the teeth of a Resolution which, at their own suggestion, was passed two years ago by the House without one dissentient. That Resolution was, in effect, that the duty should not be repealed until the financial condition of India admitted. He would ask every fair and dispassionate person whether, if the financial condition of India did not admit the repeal or reduction of the duties in 1877, it admitted of their reduction at the present time? Many as were the evils resulting from the duties in question, there were greater evils resulting from other existing imposts. If they were to select a duty for special condemnation, would they not select that imposed upon the export of rice and other grain? The question before the House ought to be postponed until India had got rid of some of her indebtedness and had at her disposal an available surplus. There was only one way in which these cotton duties could be legitimately repealed, and that was for hon. Members on each side of the House to insist upon a policy of rigid retrenchment and scrupulous economy being pursued in the administration of Indian affairs. He intended this Session, if he could get an opportunity, to bring forward some Resolutions which would raise this question in a more distinct form. What he wished to impress upon the House was, not to sacrifice the interests of India for the sake of English politics. We talked about Protection. When we talked so much about this Indian protection, did we remember that we had scarcely got a Colony that was not imposing onerous protective duties compared with which these duties on cotton goods sank into absolute insignificance? It was only the night before that he was talking to one who held a high position in the Australian Government, and he had told him that on every single article of English manufacture imported into the Colony of Victoria a duty, not of 5, but of 20 per cent, was imposed. Why, then, should we not distribute some of our indignation on the Colonies, instead of pouring it all on India? He would earnestly entreat the House not to sanction a course which, he was sure, in their calm judgment, they would feel was a course of reckless finance, and that was to sacrifice Revenue, as to which they had no proposition before them as to the means of replacing it, in the face of an admitted deficit so heavy, that it was one of the most serious difficulties which those who were responsible for the finances of India had ever had to encounter.

Mr. NEWDEGATE: I regret that I cannot, on this occasion, concur with the hon. Member for Hackney (Mr. Fawcett); and yet neither that hon. Gentleman nor anyone else can justly accuse me of being reckless as to Indian finance, since I voted for the Resolution of the hon. Member for Hackney, which proposed that the expense of the Afghan War should be charged upon the Revenues of this country, and not upon the Revenues of India. I intend to vote for the first part of the Resolution now before the House, and then to support the Amendment which has been placed upon the Paper by my hon. Friend the Member for South-East Lancashire (Mr. Hardcastle). It may be said that I shall thereby give a vote in the sense of Free Trade. I desire to give a hint to the Colonies as well as to the Government in India, that I do not consider the Dependencies or the Colonies of this country entitled to levy duties as against the Mother Country, as though there was no connection between them. The House has been informed that several of the leading Colonies are from year to year increasing their import duties, as much upon the industrial products of the Mother Country as upon those of foreigners. It appears to me that Her Majesty's Ministers and the House are going on in the vain expectation that the example of Free Trade set by this country in 1846, and followed up to 1861, will be adopted by foreign nations; but from all quarters we have indisputable information that this expectation is vain. And the House have before them the ominous circumstance, that our Colonies are adopting the system of Protection against the Mother Country. In saying this I am not carried away by any theory; but now that the industrial interests of this country are grievously depressed, I consider it the duty of the House to procure openings for the products of that industry by every legitimate means, and especially by preventing the Colonies from treating our exports as though they were of foreign origin. I know that the right hon. Gentlemen the Member for Birminghan (Mr. John Bright) agrees with me in this. The right hon. Gentleman has lately written a letter to some gentleman at Bradford in which he described the advocates of Reciprocity as the victims of lunacy or heresy. The right hon. Gentleman must, I think, have borrowed those terms from the copious vocabulary of the late Pope Pius IX. I quite agree, however, with the right hon. Gentleman that advocates of Reciprocity have, under the existing commercial system of the country, no plea in reason to address to foreign Governments; they have nothing to offer. The reply to them is at once—"You have abandoned all idea of imposing Customs duties—what have you to offer?" And what can be the reply? It is perfectly true that the late Mr. Cobden, who was a very able man, succeeded in obtaining certain concessions in 1860 from the Government of France in the Commercial Treaty which he then negotiated; a Treaty which, nevertheless, destroyed two-thirds of the silk and ribbon trade in the North of Warwickshire, and threw 22,000 weavers upon public charity. Still, Mr. Cobden did obtain certain concessions; but upon what grounds? Not, I believe, upon commercial, but upon political grounds. It is perfectly well known that the late Emperor of the French valued, and had good reason to value, the English alliance at that time. He had reason, and good reason, for seeking by every means to cultivate that alliance; and I believe that it was on account of those political considerations, which weighed greatly with the late Emperor of the French, that he made the concessions that he did. But I would put this to the House. Do they desire that the Government of this country should barter political considerations in order to obtain commercial advantages? Let the House consider in how disadvantageous a position such a system must place this country, if, while adhering to the system of free imports, as a policy from which no exigency will ever induce them to depart, they at the same time sanction the imposition not of differential duties, but absolute protective duties, operating equally against the industry of the Mother Country as against foreign producers, whether imposed by the Colonies or by the Government in India. And now that there is great distress prevailing, I ask the House to consider this matter carefully, and without prejudice —whether it is safe for the interests of this country, that the Government and the Legislature shall remain bigoted and blind in their attachment to the system of free imports? Is it not inconsistent that this system should be blindly adhered to by this country, while it is notoriously violated to our detriment by the Government of India, which is identical with the Government of this country, and violated by Colony after Colony, and rejected by foreign Governments? I trust that this House will make some exertion to prove to the Colonies and to the world that we expect, at all events from those over whom this country has political control, as over India and the Colonies, some reciprocity, some concession to the principle of Free Trade, to which this House had been so long attached.

Sir GEORGE CAMPBELL said, he agreed generally in the view expressed by the hon. Member for Hackney (Mr. Fawcett). He believed the remission promised was not to be made in the interests of India, but on English political grounds, which he, for one, had honestly accepted, when it was settled by Resolution of this House, on agreement of both sides, that the duties should be remitted as soon as the finances of India admitted of the step. The remission was not made when the Revenues of India would admit of it. It was dishonest now to remit the duties, contrary to the agreement which had been made. He thought, too, the Government were taking a double-faced position, saying to the Lancashire manufacturers on the one side—"We will give you a certain amount of relief," and to the people of India on the other —"We will not impose on you the necessary income tax to make good the deficit this will cause." It was bad finance to abandon revenue, and not supply the deficit thereby caused.

Mr. MUNDELLA, who rose amid considerable interruption, said, he would not occupy the House for more than two minutes, and his only object in rising was to express his entire assent to the able speech of the hon. Member for Hackney (Mr. Fawcett), whom he regarded, on the whole, as one of the most able economists in the House. Nevertheless, the views of the hon. Gentleman on this matter were, to some extent, unsound. His hon. Friend said that those who asked for a remission of these import duties ought to point out some means by which the deficiency in the Revenue could be made up. When the repeal of the Corn Laws was agitated in this country, surely it was not the duty of Mr. Cobden and Mr. Bright to point out how the Government could supply the deficiency which the repeal would occasion in the Revenue. He supported the abolition of these duties upon economical grounds; and, in the interests of India, the sooner these import duties were abolished the better. They were building up a manufacturing interest in India upon an unsound basis, and diverting the capital of India into a wrong channel. As soon as they repealed the import duties, that capital would be rendered valueless. Therefore, he urged that in their interest the sooner they let them know that if they were to compete with England they must do it independent of import duties and on perfect free trade and equality the better. What was the result of the competition now? India found it sufficiently hard work to compete with Lancashire even with 5 per cent import duty. What was the effect? The screw was put upon the poor operatives of India in a way that was utterly discreditable. ["Oh, oh!"] Yes; they had women and children employed in the mills in India for seven days a-week for three weeks out of four; and children of five, six, and seven years of age worked long hours in a way that was utterly discreditable to the humanity both of this country and India. That, he contended, was the result of the maintenance of an import duty. If India could hold her own against England with the import duties repealed, no one would have a right to complain. Let her have a fair trial and no favour; but they should not continue these miserable duties to build up a manufacturing system on a false basis. The time would come when India would ask for double duties, as Lancashire now asked for their entire repeal. That would be the natural consequence; and, therefore, he would give his vote for the entire repeal.

Mr. A. M'ARTHUR said, he would point out to the hon. Member for Hackney (Mr. Fawcett) that none of the Australian Colonies, except Victoria, had imposed protective duties against us. He also wished it to be understood that in New South Wales they had Free Trade, and the manufactories had largely increased; whereas there had been no increase, but rather the contrary, in Victoria, where protection existed. In Victoria their protective policy had been ruinous to the best interests of the Colony; while in New South Wales iron trade had been a great success.

Mr. C. BECKETT-DENISON said, he should uphold the arrangement with reference to the financial state of India arrived at two years ago—that these duties should be abolished whenever the Indian Revenue could permit it to be done. In that view, he would support the Amendment of the hon. Member for Dumfries (Mr. Ernest Noel), if the words relating to the effect of the duties were omitted. The plea of the hon. Member for Sheffield (Mr. Mundella), on behalf of the women and children employed in the factories, was a hypocritical one, and he must warn the hon. Member not to seek to fetter Indian manufactures by Factory Bills.

Question put.

The House *divided*:—Ayes 24; Noes 255: Majority 231.—(Div. List, No. 58.)

Question proposed,

"That the words 'the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty' be added,"

—instead thereof.

Amendment proposed to the said proposed Amendment,

To leave out all the words after the word "Goods," to the end of the Question, in order to add the words "is a Tax which ought ultimately to be abolished; but that, in view of the present state of Indian finances, it is highly inexpedient to deal with the matter at the present moment,"—(*Mr. Ernest Noel,*)

—instead thereof.

Question proposed,

"That the words 'being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House' stand part of the proposed Amendment."

The CHANCELLOR of the EXCHEQUER: I think, Sir, we should understand exactly what is the question upon which we are to vote, and what is the conclusion at which we are asked to arrive? I understand that the object of the hon. Member for Dumfries (Mr. Ernest Noel) is to make the Resolution stand thus—that an opinion should be expressed on the part of the House that the import duty is a tax which ought ultimately to be abolished, but that it ought not to be abolished at the present time. That is to say, to condemn as inexpedient that which we never proposed to do; and to condemn in advance the Indian Budget. I think it would be rather difficult to do that at the present moment. On the other hand, the Amendment of my hon. Friend the Member for South-East Lancashire (Mr. Hardcastle) expresses the satisfaction of the House at the recent reduction which is announced as intended to be made by the Indian Government as an important step towards that abolition. I think that is an accept ance of the principle of the Indian Budget, so far as these duties are concerned, and that this Amendment more exactly expresses the views of Her Majesty's Government and of a considerable number of the Members of this House. I take it, therefore, that those who support the view of the hon. Member for South-East Lancashire will vote on the present occasion for retaining the earlier words of the Resolution of the hon. Member for Blackburn (Mr. Briggs), which will consequently exclude the words proposed to be added by the hon. Member for Dumfries (Mr. Ernest Noel). My own opinion is that we should deal with the Amendment of the hon. Member for Dumfries, and then proceed to vote on the Amendment of the hon. Member for South-East Lancashire.

Mr. LYON PLAYFAIR said, that before a vote was taken, it was desirable that there should be an understanding as to the interpretation placed by the Chancellor of the Exchequer on the Amendments. He (Mr. Lyon Playfair) understood it to mean that it would be highly inexpedient to deal in any way with the matter at the present time. There was no censure upon the Indian Government for the remission it had made.

Mr. BARING said, that although the Leader of the House had been able to produce a Budget which had very agreeably surprised hon. Members, they could not augur from that circumstance that anything which the Indian Government could propose would result in a surplus. He would, therefore, vote for the Amendment of the hon. Member for Dumfries.

Sir GEORGE CAMPBELL inquired, whether the remission of the duty had already been carried into effect?

Mr. E. STANHOPE said, he had no doubt that it had been carried into effect.

Mr. FAWCETT said, the Chancellor of the Exchequer had, in his opinion, placed the House in a most extraordinary position. He had said—"We cannot give you the details of the Indian Budget, and therefore you must not condemn it; but, on the other hand, you are at perfect liberty to express approval of the Budget." But he (Mr. Fawcett) would remind the right hon. Gentleman that if they were not in a position to condemn, they were likewise not in a position to approve. He thought it would be but fair to adjourn the debate until the details of the Indian Budget were in the hands of hon. Members, by which means their decision would not be founded upon imperfect information. He would, therefore, move the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Fawcett.*)

The House *divided*:—Ayes 38; Noes 242: Majority 204.—(Div. List. No. 59.)

Question again proposed,

"That the words 'being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House' stand part of the proposed Amendment."

Sir DAVID WEDDERBURN considered that the House had placed itself in a position of some difficulty, and believed that if a direct vote was taken on any one of the points before it, a very unsatisfactory impression would be produced both in Lancashire and India. He therefore begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir David Wedderburn.*)

The CHANCELLOR of the EXCHEQUER: I cannot help thinking that the general Business of the House would in some way be confused by our adjourning at this moment. Moreover, I think that were we to adjourn now we should leave this question in a position not at all satisfactory; and I do not see that there is anything in the position of the question that should in any way embarrass the House in coming to a vote upon one or other of the propositions which have been submitted to its notice. Undoubtedly the Motion and Amendments brought forward have somewhat complicated the procedure, and one or two votes will be necessary to arrive at a conclusion; but those hon. Members who have made up their minds whether to support the Amendments of the hon. Member for Dumfries (Mr. Ernest Noel) or that of the hon. Member for South-East Lancashire (Mr. Hardcastle), or whether to support the Motion of the hon. Member for Blackburn (Mr. Briggs), will have no difficulty in voting on a Division. I can, therefore, see no such embarrassment as that suggested by the hon. Member for Haddington (Sir David Wedderburn).

MR. ANDERSON thought that one way out of the difficulty would be for the hon. Member for Dumfries (Mr. Ernest Noel) to withdraw his Amendment—as no one cared about that Amendment, and it had received little support in the debate—and a Division could then be taken on the Amendment of the hon. Member for South-East Lancashire (Mr. Hardcastle).

SIR GEORGE CAMPBELL hoped that the hon. Member for Dumfries (Mr. Ernest Noel) would press his Amendment to a Division, after which the House would be in a position to consider what course should be pursued with regard to the adjournment.

SIR DAVID WEDDERBURN begged leave to withdraw his Motion for the adjournment of the House.

Motion, by leave, *withdrawn.*

Question put,

"That the words 'being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House' stand part of the proposed Amendment."

The House *divided:*—Ayes 239; Noes 19: Majority 220.—(Div. List, No. 60.)

Main Question again proposed.

MR. C. BECKETT-DENISON moved to leave out all the words in the first part of the Resolution after the word "that," with the view of inserting other words, but——

MR. SPEAKER ruled, that as the House had already agreed to the first part of the Resolution down to the word "House," such Amendment was out of Order.

Question put,

"That the words 'is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty' stand part of the proposed Amendment."

The House *divided:*—Ayes 84; Noes 166: Majority 82.—(Div. List, No. 61.)

MR. HARDCASTLE moved to add to the amended Resolution the words—

"Views with approval the recent reduction in these Duties as an important step towards their total abolition, to which Her Majesty's Government are pledged."

Amendment proposed to the said proposed Amendment,

To add, after the words "this House," the words "views with approval the recent reduction in these Duties as an important step towards their total abolition, to which Her Majesty's Government are pledged."—(*Mr. Hardcastle.*)

Question proposed, "That those words be there added."

MR. HIBBERT trusted his hon. Friend the Member for South-East Lancashire (Mr. Hardcastle) would alter the wording of his Amendment. Hon. Members on his (Mr. Hibbert's) side of the House did not view the omission to abolish the duties entirely with very great approval.

MR. BARING felt bound to protest against the act of borrowing £12,000,000 with one hand during the year, and giving away with the other £200,000 a-year, which was, it appeared, only an instalment of the larger sum of £750,000 a-year to be given away. Had such a proposition been made by a private firm, he did not think any honest man or honourable financier would have given it his sanction.

MR. MELDON thought it derogatory to be asked to express an approval of the conduct of the Government in the way proposed by the hon. Member for South-East Lancashire (Mr. Hardcastle). As the Division could be of no practical use whatever, and because he considered the course pursued derogatory, he hoped that the Government would not be allowed to snap a vote of approval on that occasion, and begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Meldon.*)

THE CHANCELLOR OF THE EXCHEQUER: Sir, I can see no reason for adjourning the debate at this moment, the House having got through most of the complications connected with the subject. The hon. and learned Member for Kildare (Mr. Meldon) said that a Motion of this kind is derogatory to the dignity of the Government. Possibly that may be said; but it must be borne in mind that the original proposal was made by an hon. Gentleman who is a

Member of the Opposition. That Motion was opposed by an Amendment of the hon. Member for Dumfries (Mr. Ernest Noel); and the House having disposed of that Amendment, and got rid of other difficulties, have come now to consider the Amendment of the hon. Member for South-East Lancashire. The hon. and learned Member for Kildare thinks it perfectly right to carry the Motion of the hon. Member for Blackburn (Mr. Briggs), which contains something like a reflection upon the Government; but when it comes to a Motion which is, to some extent, an approval of the conduct of the Government, we are told that it is derogatory to vote upon it. I do not see anything derogatory in that.

Question put.

The House *divided*:—Ayes 62; Noes 161; Majority 99.—(Div. List, No. 62.)

Question again proposed, "That those words be there added."

MR. HARDCASTLE asked leave to withdraw his Amendment.

Amendment to proposed Amendment, by leave, *withdrawn*.

THE CHANCELLOR OF THE EXCHEQUER: I gather, from what has fallen from hon. Members, that it might be possible to agree upon a form of words that will express their own concurrence with the general feelings of the House. I therefore suggest that the Resolution of the hon. Member should stand thus—

> "This House accepts the recent reduction of these Duties as a step towards their total abolition, to which Her Majesty's Government are pledged."

Amendment proposed to the said proposed Amendment,

To add, after the words "this House," the words "accepts the recent reduction in these Duties as a step towards their total abolition, to which Her Majesty's Government are pledged."—(*Mr. Chancellor of the Exchequer.*)

Question, "That those words be there added," put, and *agreed to*.

MR. BRIGGS accepted, with pleasure, the suggestion of the right hon. Gentleman; and thought it was well, after the satisfactory discussion which had taken place upon the whole question—in the course of which he had had two very large majorities—to bring the debate to an end.

The Chancellor of the Exchequer

Main Question, as amended, put, and *agreed to*.

Resolved, That the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House accepts the recent reduction in these Duties as a step towards their total abolition, to which Her Majesty's Government are pledged.

WAYS AND MEANS.

Resolutions [April 3] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Sir HENRY SELWIN-IBBETSON.

House adjourned at half after one o'clock till Monday next.

HOUSE OF LORDS,

Monday, 7th April, 1879.

Their Lordships met;—And having gone through the Business on the Paper, without debate—

House adjourned at Three o'clock, to Monday the 21st instant, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 7th April, 1879.

MINUTES.]—NEW WRIT ISSUED—*For* Cockermouth, *v.* Isaac Fletcher, esquire, deceased.

NEW MEMBER SWORN — Justin M'Carthy, esquire, *for* Longford County.

SELECT COMMITTEE—Lighting by Electricity, Mr. Puleston and Mr. Rylands *added*.

PRIVATE BILL (*by Order*) — *Second Reading*— British Fisheries Society (Pulteney Harbour, &c.) *

PUBLIC BILLS — *Resolution in Committee — Ordered—First Reading*—Licensing Acts Amendment (Scotland) * [124].

Ordered—First Reading—Poor Law (Scotland) * [122]; Noxious Gases * [123].

First Reading — Medical Act (1858) Amendment * [121].

Second Reading—Army Discipline and Regulation [88]; Vaccination Acts (Ireland) Amendment [90].

Select Committee—Coroners * [67], Mr. Verner and Mr. Briggs *added*.

Committee—Public Health Act (1875) Amendment * [33]—R.P.

Third Reading — Assessed Rates Act Amendment * [113], and *passed*.

PRIVATE BILLS.

Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday the 17th instant.—(*The Chairman of Ways and Means.*)

QUESTIONS.

CLARE COUNTY WRIT.

OBSERVATIONS.

Mr. ASSHETON CROSS: I beg to say, Sir, that it is not my intention to move the Notice which stands in my name for to-night with regard to the Clare County Writ, but I shall put the Notice down on the Paper formally for Friday, the 18th instant; and in the course of the evening I shall be glad to arrange with hon. Members interested in the matter as to the actual date when a discussion on the subject can take place. The precise terms of the Notice referred to by the right hon. Gentleman are as follows:—

> "That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf.
>
> "That Sir Bryan O'Loghlen has since his Election for the county of Clare accepted the said office, and has thereby vacated his seat."

Afterwards—

Sir JULIAN GOLDSMID gave Notice that he would oppose the Resolution of the Home Secretary,

Mr. ASSHETON CROSS said, that since making his former announcement he had had an opportunity of conferring with a number of the Irish Members, and found that Friday, the 25th instant, would be more suitable for the discussion of the subject than the date he had previously mentioned. The debate on the question of the Clare County Writ would therefore be taken on the 25th of this month.

FRANCE—PASSPORTS.—QUESTION.

Sir FREDERICK PERKINS asked the Secretary of State for Foreign Affairs, Whether the case of Robert Millar, a British subject, who on the 11th of September last was arrested at the village of Espezel, Department of Aude, France, by an officer of Gendarmes, in the presence of and after conversation with the Mayor of the place, on the plea that he was without a passport, and who was called upon to deliver up all his papers; was then locked up in the cell of a loathsome prison as a common felon until the next morning; was then marched under circumstances of great indignity by mounted Gendarmes to Quillan, where he was again lodged in gaol, and on the following day taken to Alet, and finally conveyed to Limoux, where he was for the third time put in gaol, and on being taken before the Procureur de la Republique was finally released on the production of a passport from his portmanteau, which he had in the meantime ordered to be sent on from Carcassonne; whether he is aware that repeated representations have been made by Lord Lyons, Her Majesty's Ambassador at Paris, to the French Government on the matter, which have failed to obtain redress; and, whether, considering that the passport system between France and this Country has been abolished, he will cause inquiry to be made into the circumstances of the case, with a view to obtain such explanations and redress from the French Government as are required by the infliction of so serious an indignity upon a British subject?

Mr. BOURKE, in reply, said, that the Question of the hon. Gentleman seemed to take for granted that the matter had already been under the consideration of the Government, or, at least, of the British Ambassador at Paris. The Government, had, however, heard nothing on the subject, and the Foreign Office was in possession of no information of the kind; but if the hon. Gentleman would communicate with the Foreign Office he should receive all the information possible as soon as it was received.

CRIME (IRELAND)—RIOTS IN CONNEMARA.—QUESTION.

Mr. MACARTNEY asked the Chief Secretary for Ireland, Whether it is true, as stated in the Dublin papers of 26th March, that on Sunday the 23rd March the schoolmaster of Omey School, near Clifden, in the county of Galway, although escorted by two policemen, was assaulted and badly beaten, and that the policemen forming his escort were roughly handled and their arms taken from them by a disorderly mob, and that one of their guns went off in the scuffle and was broken; whether it is true that the Protestant Churches of Renoyle and Ballinakill were attacked by similar mobs on St. Patrick's Day, and that two hundred panes of glass were broken in one and sixteen in another, and that the windows of the Protestant school at Ballinakill and of the house of the master were smashed; and, if these statements of recent outrages in Connemara be true, whether steps have been taken by the proper authorities to put an end to such a lawless state of things, and to protect Her Majesty's Protestant subjects in that part of Ireland from attacks upon their persons, their property, and their freedom of religious worship? He also wished to ask the right hon. Gentleman another Question, of which he had given him private Notice — Whether Belleck Schoolhouse, near Clifden, was burnt down on the 13th of March; and whether attempts were made on the 1st and 2nd of April to burn the schoolhouse of Russadillisk, also near Clifden; and if it had been found necessary to send a force of one hundred men of the Royal Irish Constabulary into this disturbed district?

Mr. J. LOWTHER: Sir, I regret to say that, unfortunately, it is the case that recently disturbances have occurred in the district referred to by the hon. Gentleman, and a strong force of Constabulary has been sent to the spot. A tax will be levied on the district for its support. I think, as the matter is likely to be the subject of judicial investigation, it would not be advisable to go into the particulars at present.

JOINT STOCK BANKING COMPANIES—CHARTERS AND LETTERS PATENT.

QUESTION.

Dr. CAMERON asked Mr. Chancellor of the Exchequer, Whether he has any objection to lay before Parliament a Return containing any Royal Charters or Letters Patent limiting the liability of Joint Stock Banking Companies carrying on business in the United Kingdom, and thus place before the commercial and investing public information necessary to enable them to judge of the resources of such banks, and the responsibilities of their shareholders, but which is not at present procurable in any authentic shape?

The CHANCELLOR of the EXCHEQUER: I should prefer that this Question were put after Easter. The information is very voluminous, and I am making inquiries about it.

SOLICITORS ACTS 1860 AND 1877—EXAMINATION OF CLERKS TO SOLICITORS.—QUESTION.

Sir WALTER B. BARTTELOT asked the Secretary of State for the Home Department, What is the practice as to exempting persons, becoming bound under articles of clerkship to solicitors, from the necessity of passing an examination in general knowledge, as provided by the Solicitors Acts, 1860 and 1877?

Mr. ASSHETON CROSS: I forwarded the hon. and gallant Baronet's Question to the Law Institution, and I have this day received from them a long letter in reply. I should, therefore, prefer not answering the Question until I have forwarded that letter to the Judges, and received their reply.

THE ROYAL HIBERNIAN MILITARY SCHOOL.—QUESTION.

Major O'BEIRNE asked Mr. Attorney General for Ireland, If he could state to the House the number of Monitors and Boy-Monitors of the different religious denominations at the Royal Hibernian Military School; and, of the annual allowances to each Monitor and Boy-Monitor?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson): Sir, in the Royal Hibernian Military School there are 20 Monitors, of whom 11 are Church of Ireland Protestant Episcopalians, 3 are Presbyterians, and 6 are Roman Catholics. There are 3 Boy-Monitors, 2 of them Protestant Episcopalians, and 1 of them a Roman Catholic. The salaries are as follows:—4 Monitors at 1*s.* a-day; 4 at 9*d.*; and 12 at £4 4*s.* a-year. The Boy-Monitors receive 1*s.* a-week each.

TREATY OF COMMERCE, 1873—FRENCH DUTY ON MINERAL OILS.

QUESTION.

Mr. W. HOLMS asked Mr. Chancellor of the Exchequer, Whether it is true that the stipulations entered into between Great Britain and France, by the Commercial Treaty of 23rd July 1873, with regard to the Duty to be levied on British mineral oil have been virtually set aside and rendered inoperative by the French Law of the 29th December of that year; and that, notwithstanding the repeated representations and remonstrances of Her Majesty's Government, extending over a period of five years, no redress has been afforded by the French Government for what has been characterised by Her Majesty's Secretary of State for Foreign Affairs as "a violation of Treaty engagements;" and, if this be true, and having regard to the fact that Her Majesty's Government have pointed out to the French Government that the question between the two Governments has no connection with the new General Tariff, what course does Her Majesty's Government intend to take in order to insure the fulfilment by France of the stipulations contained in the Treaty of 23rd July 1873?

The CHANCELLOR of the EXCHEQUER: I am sorry to say that the fact is as stated by the hon. Member. By the Treaty of July, 1873, it was stipulated that British mineral oils imported into France should pay a duty of 5 per cent *ad valorem*, and also a compensatory duty equivalent to any Excise tax charged on French mineral oils. The French Government, however, have fixed this compensatory duty much in excess of its correct amount. This has been proved, and it is admitted by the French Government that such is the case. But in fixing the duty, the French Government appear to have had regard to the scale of duties contemplated by the passing of the new General Tariff Bill. Her Majesty's Government have pointed out to them that the two matters have no connection, and have strongly remonstrated with them on the subject. The British Ambassador, on the 18th of February last, presented a Note to M. Waddington, asking that the attention of the new Minister of Commerce might be called to the subject, as one involving a violation of Treaty engagements, and expressing a hope that the French Government would perform the simple act of justice asked for. No answer to that Note seems at present to be given.

CRIMINAL LAW—THE CONVICT PERRYMAN.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether it is intended to carry out the sentence of death for murder, pronounced on Thomas Perryman last Wednesday night by Mr. Justice Stephen at the Central Criminal Court, the jury having appended to their verdict "that there was no evidence of premeditation or malice aforethought," and the judge not having told them that one or both of these was essential (as it is submitted) to constitute the crime of murder?

Mr. ASSHETON CROSS: I have not yet had the advantage either of being able to read the Judge's notes or the observations which, I understand, he is about to send me on this case. Therefore, I hope the House will not expect me to answer the Question at the present moment. I may mention that I have a letter from the Judge stating that an erroneous impression in regard to the case appears to exist in the public mind. Although the jury at first used the words, "no evidence of premeditation or malice aforethought," nevertheless, on receiving an explanation of them, they struck them out.

Dr. KENEALY said, he would repeat the Question on the first day after the re-assembling of Parliament.

AFGHANISTAN—DESPATCH OF SIR JOHN HOBHOUSE, 1839.—QUESTION.

Mr. EVELYN ASHLEY asked the Under Secretary of State for India, Whether he will lay upon the Table of the House a Copy of a Despatch sent in 1839 by Sir John Hobhouse, President of the Board of Control, to Lord Auckland, Governor General of India, warning him against any permanent occupation in Afghanistan as likely to cause a dangerous drain upon Indian resources?

Mr. E. STANHOPE? The despatch to which the hon. Member refers appears to be one dated the 18th of July, 1839, and forms part of a series relating to the affairs of Afghanistan. To give this despatch by itself would be to convey a very incomplete impression of the policy then pursued. It relates to a state of things long past and gone, and was specially directed against the permanent occupation of Herat.

TREATY OF BERLIN—EASTERN ROUMELIA.—QUESTION.

Mr. OTWAY asked Mr. Chancellor of the Exchequer, What decision has been taken by the Powers, parties to the Treaty of Berlin, as to the Military occupation of Eastern Roumelia; whether France and Germany have declined to take part in such occupation; and, if he is able to assure the House that, during the short adjournment for Easter, no steps will be taken by Her Majesty's Government which would necessitate the employment of British Troops in that country?

The CHANCELLOR of the EXCHEQUER: I gave an answer on that subject two or three days ago, and I am afraid I cannot add anything to what I then said. The communications which were then going on are still going on; and as nothing has been settled on this subject I do not think I could without inconvenience, and without prejudicing the probability of a satisfactory settlement, enter into a discussion of the subject now, or give any further information at the present time.

WESTERN AUSTRALIA—FREE EMIGRATION.—QUESTION.

Sir JAMES LAWRENCE asked the Secretary of State for the Colonies, Whether there is not an existing arrangement by which the Imperial Government are bound to provide free passages for more than a thousand emigrants to Western Australia; and, whether, having regard to the depression of trade and want of employment in England, the Government are now prepared to carry out this arrangement?

Sir MICHAEL HICKS-BEACH: There was formerly an arrangement for sending out free emigrants to Western Australia *pari passu* with convicts transported there; but at the cessation of transportation the matter appears to have been carefully considered in 1869 by the Government then in Office, and the arrangement was definitively given up. The hon. Member is probably aware that the Poor Law Guardians are empowered to give certain facilities for emigration should they choose to do so.

PARLIAMENT—APPROPRIATION OF THE VACANT SEATS.—QUESTION.

Mr. PEMBERTON asked Mr. Chancellor of the Exchequer, Whether, in the re-distribution of the six vacant seats in this House, the claims of the Isle of Thanet, comprising the towns of Ramsgate, Margate, and Broadstairs, and including a population of upwards of 50,000, will be considered?

The CHANCELLOR of the EXCHEQUER: Yes, Sir; the claims of all important places will be considered, and I think the claim of my hon. Friend is one which deserves consideration.

AFRICA (WEST COAST)—THE ISLAND OF MATACONG.—QUESTION.

Dr. CAMERON asked the Under Secretary of State for Foreign Affairs, Whether he knows anything of a Treaty said to have been entered into between the French and the natives of the British Island of Matacong, in virtue of which the French occupation of that Island is stated to have taken place?

Mr. BOURKE: No such Treaty has been communicated to Her Majesty's Government.

ABOLITION OF PURCHASE ACT, 1871—THE REGULATIONS—VALUE OF COMMISSIONS.—QUESTION.

General SHUTE asked the Secretary of State for War, Whether, as regards those purchase officers who, since the issue of the Warrant of the 13th of August 1877, have by the introduction of a system of forced retirement been placed in a worse position than previously to the abolition of purchase, he will consider the justice of allowing them to bequeath to their widows and children, or other representatives, the amount which in strict accordance with the Queen's Regulations had actually been paid for their Commissions; and, whether the sums so expended may be at once paid to the executors or administrators of those gallant officers lately killed in Zululand whose professional interests had been affected by the said Warrant?

Colonel STANLEY, in reply, said, he must adhere to the answer given by his noble Friend his Predecessor in 1875, and again in 1877, to the effect that officers could not be allowed to bequeath the value of their commissions. In the case of officers killed in action the sums actually paid for commissions at regulation prices were payable to their representatives in lieu of any pension to which they might be entitled under the Articles of the Royal Warrant.

SOUTH AFRICA—LOYALTY OF THE NATIVE TRIBES.—QUESTION.

MR. ALEXANDER M'ARTHUR asked the Secretary of State for the Colonies, Whether his attention has been directed to the reports of the disaffection which is said to exist among the Fingoes, the Basutoes, and other native tribes; whether there is any reason to believe that these tribes have been irritated by the manner in which the Cape Government has carried out the policy of disarmament; and, whether he will lay upon the Table the Correspondence on the subject which he may have received from the Colony?

SIR MICHAEL HICKS-BEACH: The official communications which I have received do not indicate any serious disaffection among the Natives generally at the Cape, although there has been some disturbance in Basutoland, which I believe is likely to be soon quelled. This does not appear, however, to have arisen from the policy of disarmament. With regard to the Fingoes, as soon as the news of the disaster at Isandlana was known a meeting was held expressing the deep regret of the inhabitants of Fingoland at the news, and assuring the High Commissioner of their unflinching loyalty to the Queen, and their anxiety to be of any use should their services be required by the Government. Any Papers bearing on the subject which have not been already published will be presented.

INTERMEDIATE EDUCATION (IRELAND) ACT, 1878—QUESTION.

MR. KAVANAGH asked the Chief Secretary for Ireland, Whether, having regard to the fact that when Clause 8 (called the finance clause) of the Intermediate Education (Ireland) Act of 1878 was drawn it was only intended that the Act should apply to boys, and that whereas, by a subsequent Amendment, its advantages were extended to girls, Her Majesty's Government are prepared to make such further financial provisions as may be found necessary to enable the Commissioners to give full effect to its provisions for the benefit of both classes?

MR. J. LOWTHER: The Act to which the hon. Member refers has hardly got into working order, and it would be rather premature to anticipate the probability of a communication from the Commissioners with respect to an increase of the money at their disposal; but should the Commissioners consider that additional finance provisions are necessary, and apply to the Government on the subject, their suggestion will, of course, receive every consideration.

(METROPOLIS) LIGHTING.—QUESTION.

SIR JOSEPH M'KENNA (for Mr. M. BROOKS) asked the First Commissioner of Works, Whether he has observed the brilliant gas lamps placed on the end of Westminster Bridge, opposite to the St. Stephen's Club, and if he would consider whether some of these lamps might not be placed at the entrance to Westminster Hall and at the entrance to the House?

MR. GERARD NOEL, in reply, said, he had seen the lamps in question. No doubt they were very brilliant, and far superior to the general run of street lamps; but at the present moment, when there was so much difference of opinion in regard to street lighting, he thought it would be undesirable to incur any large expenditure in making alterations in the lamps to the entrances to Westminster Hall and the House of Commons.

SPAIN—SLAVERY IN CUBA.

QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, If the Government is yet in possession of any information as to whether the changes now proposed in the settlement of Cuba include any measure which shall fulfil the Treaty obligations of Spain, by the enfranchisement of the slave population?

MR. BOURKE, in reply, said, that the attention of the Spanish Government was called a short time ago to the question of the enfranchisement of slaves in Cuba, which seemed a more correct definition than that of the hon. Member's Question, because all the Treaty engagements of the country related to the Slave Trade, and not to the enfranchisement of the slaves in the Island of Cuba. The hon. Member was aware that Her Majesty's Government had frequently pressed the matter on the attention of the Spanish Government, and they continued to do so. They did so, as he had already informed the House, in a despatch of the 27th of March last, to our Ambassador at Madrid. An answer was given to that communication by the Spanish Government; but as he did not think it would aid the object which all desired to bring about if he were to give the substance of the answer, he trusted the hon. Member would be content meantime with the assurance that the matter was receiving the anxious attention of Her Majesty's Government, and would continue to do so.

CONTAGIOUS DISEASES (ANIMALS) ACTS—CATTLE FROM THE UNITED STATES.—QUESTION.

Mr. GILES asked the Vice President of the Council, Whether the transhipment of American cattle has been permitted from the Victoria Docks to Deptford; and, if so, whether the same privilege will be also granted to the Port of Southampton, so that the large Transatlantic steamers calling at Southampton may not be excluded from the trade of bringing over cattle from the Deptford Market?

Lord GEORGE HAMILTON: It is quite true that a transhipment of cattle has, in certain instances, been allowed from the Victoria Docks to Deptford; but there is no similarity between the circumstances under which this leave was temporarily given, and those existing at Southampton, for which my hon. Friend also claims the privilege of transshipping American cattle to Deptford. Previous to the recent Order in Council, a number of American cattle were landed in very large Transatlantic steamers on the north side of the Thames; subsequent to the Order it became necessary for these ships to land their cargoes at the foreign animals market at Deptford. The size and draft of these vessels rendered this very difficult; and it being not considered expedient to establish a foreign animals market north of the Thames, leave was given for the shipment of cattle under certain precautions, and the supervision of the Customs officers across the Thames. Southampton has no foreign cattle market, and cattle would be shipped not from one to another part of the same port, but from one port to another port—namely, from Southampton to London.

INLAND REVENUE—COLLECTION OF LEGACY DUTIES.—QUESTION.

Mr. O'CLERY asked Mr. Attorney General, Whether the Commissioners of Inland Revenue are not bound, by Act of Parliament (36 Geo. 3, c. 52, s. 4), to appoint persons in the several counties, shires, stewartries, ridings, and divisions in Great Britain, to collect and receive Legacy Duties as occasion may require; and, whether the recent abolition of these officers by the Commissioners without the consent of Parliament previously obtained is legal?

The ATTORNEY GENERAL (Sir John Holker): The provision of the Act of Parliament referred to in the Question is in force, and the Commissioners of Inland Revenue are bound by it to appoint as stated. As a matter of fact, the officers called Collectors of Inland Revenue are, by virtue of their instruments of appointment, which are under the seals of three Commissioners of Inland Revenue, collectors of stamp duties, and they receive legacy and succession duties at their respective offices.

CRIMINAL LAW—CASES OF A. J. MITCHELL AND J. EDGINGTON.

QUESTION.

General SHUTE (for Mr. Benett-Stanford) asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Allen John Mitchell and James Edgington, labourers, who were sentenced by Mr. Justice Stephen, at the Central Criminal Court, last Thursday, to five years' penal servitude, for setting fire to some gorse or furse on Witley Common, Surrey; and, whether he can see his way to recommend a diminution of such sentence, on account of the small amount of the damage done and the fact that the gorse was not growing in inclosed ground?

Mr. ASSHETON CROSS, in reply, said, he had communicated with the learned Judge on the matter, and until he heard from him he could not give any answer to the Question.

ARMY DISCIPLINE AND REGULATION BILL—CLAUSES 48 AND 178.

QUESTION.

Sir ALEXANDER GORDON asked the Secretary of State for War, If he can state to the House whether he intends to propose any alterations to the 48th and the 178th Clauses of the Army Discipline and Regulation Bill now before the House; and, if so, whether he will state the nature of his proposed alterations?

Colonel STANLEY, in reply, said, with reference to Clause 48, he was unable to see how it in any way affected the Amendments of which the hon. and gallant Gentleman had given Notice. With regard to Clause 178, however, which had a bearing on the Amendment, he was prepared when the proper time came to propose that the clause should be amended. Although such was not intended, it might be thought that the clause as it stood affected the relations existing between the Crown, the Army, and Parliament. He should, therefore, in Committee propose the substitution of the words of the present Mutiny Act.

Sir ALEXANDER GORDON said, that after the answer of the Secretary of State for War it would not be necessary for him to propose his Amendment.

BALLOT ACT—CONTINUANCE.

QUESTION.

Sir DAVID WEDDERBURN asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce during this Session a Bill for the continuance of the Ballot Act, which expires at the end of next year?

Mr. ASSHETON CROSS, in reply, said, that as the Ballot Act would not expire until the 31st of December, 1880, it would not be necessary to deal with it during the present Session.

POLICE SUPERANNUATION.

QUESTION.

Mr. JAMES STEWART asked the Secretary of State for the Home Department, Whether it his intention during this Session to deal with the question of superannuation in connection with the Police Forces?

Mr. ASSHETON CROSS, in reply, said, that, as he had stated the other day, there was no way of dealing with the subject of police superannuation except by paying them out of the rates, and that was a course he did not consider desirable.

BANKRUPTCY BILL.—QUESTION.

Mr. MORLEY asked Mr. Chancellor of the Exchequer, Whether, considering the great importance of the Bankruptcy Bill introduced by the Government, he will fix the Second Reading as the first Order on such day as will afford full opportunity for its discussion? The hon. Gentleman pointed out that the Bill was a very important one; that it repealed all existing enactments on the subject; and that, while it had been twice discussed in the House of Lords, it had never been discussed in this House at all.

The CHANCELLOR of the EXCHEQUER: We are very sensible of the importance of the Bankruptcy Bill, and we are anxious to obtain for it a full discussion. But I cannot make a promise in the form in which the hon. Member asks, undertaking to place the Bill as a first Order on any particular day, because it is very difficult, with all the Business there is, to make a promise for every Bill. But we will certainly endeavour to obtain ample opportunity for a fair discussion of this Bill.

MERCHANT SHIPPING ACT—THE "CALAIS-DOUVRES."—QUESTION.

Captain PRICE asked the President of the Board of Trade, What number of passengers is the "Calais-Douvres" licensed to carry across the Channel; what number of boats does she carry; what number of passengers would these boats accommodate in the event of the ships being sunk by collision in mid-channel; and, is there any Law compelling passenger ships to carry sufficient boats or rafts to accommodate the whole of her crew and passengers?

Mr. J. G. TALBOT (for Viscount Sandon): In answer to my hon. and gallant Friend, I beg to say that the *Calais-Douvres* was last year licensed to carry 1,088 passengers, that she carried four boats, and that those boats would accommodate about 110 passengers. The Merchant Shipping Acts do not compel passenger ships to carry boats and rafts sufficient to accommodate the whole of their crews and passengers; and I am sure the House will understand that it would be impossible that they should do so. Such a number of boats would seriously interfere with the management of the ships; and even if they could be provided for on boardship, it would be almost impossible to lower them in case of emergency. It is only fair that I should add that, as regards boats, their number and contents are settled by statute according to the tonnage of the vessel, and that all other steamers are subject to the same law as the *Calais-Douvres.*

SOUTH AFRICA—THE ZULU WAR—SUBMISSION OF CETEWAYO.

QUESTION.

Mr. RICHARD: I beg to ask Mr. Chancellor of the Exchequer a Question of which I have given him private Notice—namely, Whether it is true that a communication has been received by the Government of Natal from Cetewayo, King of the Zulus, stating that he never desired the present war; that he had never refused the terms proposed at the Lower Tugela; that he had collected 1,000 head of cattle to pay the demand made on him; that he had sent Sirayo's sons to be delivered up to the General at Rorke's Drift; that three men were sent to try and obtain a hearing, but they were fired at, and returned; that he now asks for suspension of arms; and that negotiations should be resumed, with a view to a permanent settlement of all questions between himself and the Government; and, whether, if such a communication has been received, it would not be more consistent with our character as a professedly civilized and Christian nation to entertain these overtures of peace, rather than further prosecute an aggressive war for purposes of revenge or military prestige?

Sir MICHAEL HICKS-BEACH: Perhaps I may be allowed to answer the Question, and I will do so by saying that a communication to the effect mentioned has been received through Bishop Schroeder, in which communication, however, King Cetewayo is also represented as stating that the fighting at Isandlana was brought about accidentally, that he never ordered his army to attack the English column, and that Colonel Pearson himself provoked the attacks made on him. I have received nothing to show whether any confidence can be placed in the expressions in the message; but its credibility and sincerity are doubted by those on the spot; and, looking to the statements which I have quoted, and to the intelligence which has been published of further military movements on the part of the Zulus, I fear that I am unable to view the message in the same light as that in which it appears to the hon. Member. I cannot doubt that any real proposal for submission on the part of Cetewayo would be readily entertained; but it is necessary, not for the reasons given by the hon. Member, but for the future safety of our Colonies, that the submission of the Zulu King should be complete. We should all be glad if this end could be achieved without further bloodshed; but I fear that I do not see any probability of this result. Perhaps I may be allowed to read to the House telegrams received yesterday, and which contain the latest intelligence—

"Telegram from Sir Bartle Frere.
" 'Maritzburg, March 15.

" 'Oham's surrender to Captain M'Leod confirmed, with circumstances which show it is a defection from Cetewayo, and not a trap. He had reached Luneburg from Derby on his way to Colonel Wood's column. Situation otherwise unchanged, except by arrival of very acceptable reinforcements of Her Majesty's 57th at Durban, and 91st at Cape Town. I start to-day for Transvaal. Sir Theophilus Shepstone arrived here yesterday.'

"Telegram from Government House, Cape Town, March 18.

" 'Signalling with Ekowe now complete on both sides. All safe there. Colonel Pearson has constructed a road from the fort, avoiding a thick bush, effecting a saving of three miles. The work was constructed during fire from the enemy, but no casualities on our side. In one of the sallies Dubulaminzie's kraal, six miles from the camp, was surprised and burnt, with no loss beyond a trivial wound to Lieutenant Lewis of the Buffs.

" 'Captain Williams, of the Buffs, and Midshipman Coker, have died of fever and dysentery at Ekowe. Her Majesty's ship *Boadicea* arrived at Durban, landed Naval Brigade; also *Pretoria*, with 91st Regiment, landed yesterday; 57th Regiment about to start for Lower Tugela; 60th Rifles reached Cape Town, and gone on to Durban, will reach there to-morrow. *Manora* at Simon's Bay; proceeds to Durban to-day. Latest advices, all going well with Wood and Glyn.' "

Further Papers with respect to South Africa will be laid on the Table this evening.

MR. COURTNEY said, he presumed, from the reply of the right hon. Gentleman, that the Government had no information of the reported rising in the Transvaal; but it would be satisfactory to the House to receive a distinct assurance on the subject.

SIR MICHAEL HICKS-BEACH: We have no information as to the reported rising.

TREATY OF BERLIN—EASTERN ROUMELIA.—QUESTION.

LORD ELCHO asked the Under Secretary of State for Foreign Affairs, Whether he will cause to be circulated Consul Blunt's Report which has long been promised; and, whether he will lay on the Table the Circular which was stated to have been addressed by the Sublime Porte to its Representatives at foreign Courts, complaining of the acts of oppression and violence and the system of oppression to which the Mussulman population of Eastern Roumelia are subject?

MR. BOURKE, in reply, said, that his noble Friend had not given him sufficient Notice to enable him to answer the Question.

PRISONS ACT, 1877—BRECON GAOL.

QUESTION.

In reply to Mr. DILLWYN,

MR. ASSHETON CROSS said that the gaol at Brecon had been closed; but if the county magistrates could prove that it was really inconvenient for them not to have the building as a place of detention at Quarter Sessions, he should be very ready to see what could be done.

CRIMINAL LAW—CASE OF WILLIAM HABRON, CONVICTED OF MURDER.

QUESTION.

MR. MITCHELL HENRY: I beg to ask the Secretary of State for the Home Department a Question of which I gave him private Notice some time ago at the request of some of my friends in Manchester—Whether it is true, as stated in some of the Lancashire papers, that he has intimated to the Chief Constable of Lancashire that in the case of the Habrons he considered that the evidence of the police was given with fairness, impartiality, and absence of zeal and eagerness, and that the manner in which the duties of the police had been performed throughout met with his approval; and, if this is not true, whether the right hon. Gentleman has expressed, or been asked to express, any opinion as to the conduct of the police in this matter?

MR. ASSHETON CROSS: What I did say was this—that I thought it quite right, in justice to the police, that they should know that the learned Judge who tried the case in the first instance reported to me that, in his opinion, the evidence of the police was given with fairness and impartiality and an absence of zeal and eagerness. That was the opinion of the learned Judge, and I have his leave to make it public. That being so, I think it quite right, as the subject of the trial has been matter of much comment, to say that the police and the magistrates rendered every possible assistance in favour of the prisoner, and did not show the slightest desire in any form or shape to unduly press for his conviction.

ARMY—THE ABOLITION OF PURCHASE—WIDOWS' PENSIONS.

QUESTION.

GENERAL SHUTE asked, Whether the House was to understand that the widows of the officers killed in Zululand would be allowed the value of their late husbands' commissions in addition to their pensions?

COLONEL STANLEY: I think the answer I have already given the hon. and gallant Member must show clearly that the regulation is that the value of the commission stands in lieu of pension.

PARLIAMENT—NEW WRIT FOR COCKERMOUTH.

MR. ADAM moved "That the Clerk of the Crown do make out a new Writ for the borough of Cockermouth," the seat rendered vacant by the decease of Mr. Fletcher.

COLONEL ARBUTHNOT: I wish to ask, Whether it is not the fact that the late lamented Member is not yet buried; and, whether any precedent exists for a Writ being moved for previous to the obsequies of the deceased Member?

MR. ADAM: I quite agree with the hon. and gallant Gentleman that it is not usual to move a Writ before the deceased gentleman is buried. It so happens that Mr.

Fletcher is to be buried to-morrow morning; but the House will be aware that, if the Writ were not moved to-day, it could not be moved for until Thursday, the 17th. The friends of Mr. Fletcher are anxious that the Writ should be moved for, so that the turmoil and disturbance of election proceedings may not be going on in Cockermouth for three weeks or more. This seems to me sufficient justification for adopting the course which I have proposed to the House.

INDIA—CORPORAL PUNISHMENT IN MYSORE.—QUESTION.

Mr. P. A. TAYLOR asked the Under Secretary of State for India, Whether it is true, as stated in "The Times," that 4,000 people received corporal punishment for private offences in Mysore in the year 1877-8.

Mr. E. STANHOPE: Yes, Sir, it is true that, during the year 1877-8, whipping was inflicted in more than 4,000 cases, in lieu of other punishments in Mysore. It must be remembered that, in consequence of the terrible Famine and distress, there was in that year an enormous increase of crime. The gaols were full to overflowing, and ordinary punishments were impossible. I may add that two years before whipping was only inflicted in 216 cases. I hope a return to better times will facilitate a return to ordinary punishments.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL.—[Bill 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

SECOND READING.

Order for Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Secretary Stanley.*)

Mr. E. JENKINS, in rising to move as an Amendment—

> "That no measure for the Discipline of the Army will be satisfactory which does not secure to every officer accused of any military offence a speedy and impartial trial by a military tribunal, selected under regulations enacted by Parliament, in such a manner as to ensure that the constitution of the Court shall be free from any suspicion of favouritism or prejudice, and act under the rules of evidence governing ordinary legal tribunals, and which moreover does not provide that any military officer accused of a military offence should be tried by a Court Martial, and not by the secret and informal proceedings of Courts of Inquiry,"

said, that when a Bill which had run the gauntlet of a Select Committee was brought in by the Government for the purpose of defining permanently what were to be the relations of the Crown and of Parliament to the discipline of the Army, it was natural that some hon. Members should wish the propositions submitted to the House to be narrowly examined and jealously scrutinized. It might be felt that he—a civilian—owed an apology to the House for venturing to intrude an opinion on military questions; but this ought to be borne in mind—that, in the present condition of Her Majesty's Army, it was scarcely possible for an officer happening to be a Member of that House to take so clear, so unprejudiced, and so impartial a view of the question raised by the present Bill as one who was free from the trammels of military influence. As the matter which he now brought before the House was one concerning the interests and, he might almost say, the efficiency of some 140,000 soldiers and 7,000 officers, it was well that he or some other hon. Member should represent the true state of affairs. If our Army was one of the most costly, it certainly was one of the most anomalous and irregular machines which existed in the world, and one of the most disorganized. Recently they had seen criticisms upon the organization of the Zulu Army; but he (Mr. E. Jenkins) ventured to say that, barbarian as the Zulu King was, he had greater common sense, a greater regard for efficiency, and, no doubt, greater regard for the interests of the various individuals composing his Army than was apparent in the system of the English Army. It was said to be governed by Prerogative and also by Statute; but no one knew when the Statute governed the Prerogative and when the Prerogative overruled the Statute. It was under the control of a Civil Administration which sat in that House, and was also under the control of a Minister appointed by the Crown. At the present moment the Minister in charge was an officer under the Commander-in-Chief. That officer, with supreme command of the English Army, was a Royal Duke, a brave, an active, and generous personage, against whose personal honour there was nothing to be said, in that House or elsewhere, but who from his position and power must be the centre of those prejudices and intrigues which were inseparable from the existence of Courts, and which could not be otherwise than detrimental to the welfare of an Army. The Commander-in-Chief had the discipline of the Army in his own hands, and, undoubtedly, as Clode says, to relegate such power to one man must open up questions of great importance. It was right and just, and, indeed, their duty, before they passed that Bill by which they proposed permanently to vest the administration of the Army in the hands of a single man, to see that the powers to be given to the Commander-in-Chief would be restrained within such a compass as to make it impossible that any injustice could be done to the interest even of the meanest private soldier. The Prerogative power for the government of the Army was unrestrained and irresponsible. The Commander-in-Chief, advising the Sovereign, promoted, he transferred, he placed upon half-pay, he was not obliged to give any reason for any of his acts, he had the authority to dismiss men from the Service without assigning any cause, he appointed courts martial or delegated their appointment to others, he appointed Courts of Inquiry, secret and irresponsible, by which reports could be made to the Commander-in-Chief, upon which steps were taken seriously compromising the position of officers; or in some cases he did not appoint courts martial or Courts of Inquiry, thus working as great an injustice as if he had actually appointed one in a wrong case. Before this terrible power no officer in the Army was secure in his position, and against its exercise he had no right or possibility of appeal. The Earl of Bath, Secretary of State during the great Rebellion, said—

> "Nothing can be more terrible than to detach the Military from the Civil part of our Constitution, and establish in the former a blind obedience to the orders of the Commander-in-Chief."

And although the House might now feel that it was absolutely necessary that a great power should reside in the Commander-in-Chief, it was the duty of Parliament to see that the Crown should exercise the Prerogative under regulations clearly defined, so as to prevent an unrighteous exercise of that Prerogative. While, therefore, he did not wish to take the command of the Army out of the hands of the Crown, he maintained that the exercise of the power of the Commander-in-Chief should be subject to such regulations and restrictions as should secure it against abuse. Although he did not wish to say anything unpleasant, he could not avoid remarking that these powers were now notoriously wielded by influences surrounding the Commander-in-Chief, and it was inevitable that this should be the case unless the Commander-in-Chief was a man of iron will and of the greatest ability. He supposed it would be difficult to find an officer who was less charged with those characteristics than the Royal Duke who now held that position; but the truth of the matter was, and it was well to acknowledge it at once, that the position of the Commander-in-Chief was anomalous and intolerable, and that it ought to have formed the subject of inquiry by the Committee which had considered the Bill. The power he possessed was so terrible, it was so irresponsible, that it was absolutely necessary, not only in the interest of our Constitution, but for the benefit and efficiency of the Army, that that power should be restrained within ascertained limits. Parliament was bound to see that the officers and soldiers of the Army were protected from the abuse of that irresponsible power by strictly and rigidly defining limits within which it was to be exercised. The Bill before the House was of a narrow and restrictive character. It was simply a codification of existing rules, and no attempt had been made to inquire if it were necessary to remedy the abuses which were notoriously known to exist in the Army. The power which the Commander-in-Chief wielded was, indeed, so absolute, that it was necessary for the efficiency of the Army that it should be put into a strait-waistcoat. What he should propose was that in future no single man should hold the power now possessed by the Commander-in-Chief, but that the Officer in command of the Army, like the First Lord of the Admiralty, should be surrounded by a

Council of the best General Officers, and when the proper time arrived, he intended to propose the introduction in the Bill of some provisions which would enable them to carry that into effect. It might be said that it would be more convenient if the discussion on his Motion took place in Committee. But what he desired was to strike at the very root of the questions by which the military law of the Army was administered. He should, for the present, leave out of his Amendment the words "relating to legal assessors;" but he should in Committee ask, on the one hand, that military tribunals should be devised which should be at once trustworthy and efficient, and, on the other hand, that the practice which was growing up under the pretence of Prerogative of the Crown, of trying men behind their backs and dismissing them from honourable service without assigning the cause, should at once and for ever cease, for he looked with great jealousy on the proposition to give the Crown the right to alter the Articles of War. Looking to the fact that this was to be an annual Act, he did not see what necessity there was for it. With regard to his Amendment, it would be seen that its proposals referred, first of all, to the competence of the tribunals; secondly, to the promptness of trial; and, thirdly, to the doing away with unconstitutional, at all events with unjustifiable, tribunals, which were now established in the Army, and which, undoubtedly, were creating such widespread dissatisfaction. Courts martial were, in truth, Courts only in name, and not in fact. There was no judge nor jury. Their proceedings had no validity until they were confirmed by the commanding officer. When the confirming officer had once confirmed the sentence of the courts martial there was no tribunal of appeal to which a convicted officer or private could go for redress. Their decisions were an anomaly, their results too often a farce, and, as a general rule, they were formed of men who were in complete ignorance of the laws of the land; therefore, he asked first of all that the selection of courts martial should be placed in hands which should render it impossible that prejudice or partiality could find a place. Of course, in the field it would be necessary to give the commanding officer more discretion than he would otherwise have; but when the House was asked in time of peace to grant such large powers to commanding officers, care must be taken that the tribunals could be trusted beyond doubt. He was sorry to see, in *The Army and Navy Gazette*, that in one regiment alone nearly 200 courts martial on officers and men had been held in one year; and it was stated in the evidence before the Committee that nearly 8,000 courts martial were held during the year. It was said that the proceedings in courts martial and the reception of evidence by them were governed by the same rules which prevailed in civil tribunals. But, though many general officers were quite capable of conducting trials, it was certain that there were many officers whom it would not be safe to trust with the trial of the most trifling theft, such even as the stealing of a pin or the shooting of a rabbit, much less the reputation of an officer. In Committee he should move that in every case, except those of ordinary summary jurisdiction, a legal assessor should be present to assist the officers composing the court, and to see that the rules of evidence were duly observed. Then he should propose that the sentence of the court thus constituted should be final, without reference to a confirming officer, for nothing could be more anomalous, objectionable, and unjustifiable than the constitution of these courts and the prefunctory revision of their sentences. Mr. O'Dowd narrated the circumstances of a case in which a private was tried for wilfully making away with a ramrod; and, although the result was that he was neither morally, nor legally, guilty of anything more than neglect, and was entitled to acquittal, he suffered all the consequences of a conviction because the War Office objected, for financial reasons, to redress the injustice inflicted by the court martial. What had occurred in one case might occur in a hundred. Was it to be supposed the Judge Advocate General read over the documents in 8,000 cases? [Mr. CAVENDISH BENTINCK: Yes.] The right hon. and learned Gentleman intimated that he did, and it must be a satisfaction to the Army that they had so zealous a lawyer. There had been many instances of unrighteous trial by court martial, and it was time to say that such injustice should not be perpetuated. But perhaps one of the strongest reasons why the Bill should not be allowed to pass in its present form was that there was growing up in the Army a practice—he could not call it a jurisdiction—of inquiry at the instance of the Commander-in-Chief into the conduct of officers under the name of Court of Inquiry—a secret irresponsible tribunal, before which the person against whom the charge was made might never be summoned. ["No, no!"] He would be glad to have the contrary proved; but he repeated that persons were often not summoned, or even told of the charges brought against them. The report of this Court of Inquiry, which was in the nature of a confidential report to the Commander-in-Chief, need not be, and often was not, conveyed to the person dismissed from the Service. Was it possible for officers to feel comfortable in their position when there was the possibility of such action—when there was this sword suspended over their heads? The Commander-in-Chief, upon receipt of these reports, exercised the Prerogative of the Crown in transferring, dismissing, or placing on half-pay; and in a number of cases the power had been exercised with what the House must feel was not a righteous discretion. He (Mr. Jenkins) asked if it was proper that an officer of Her Majesty's Army should be subjected to such an anomaly, and whether such secret and irresponsible action as that on the part of the military authorities was calculated to maintain a desirable feeling in the Army amongst officers? Without detailing a number of cases, he would refer to one or two. Any Army and nation must feel ashamed when they recalled the case of Colonel Dawkins, and must feel it was a disgrace to the Army and the officers engaged in it. One of the results of the personal government to which he had alluded was that a number of miserable petty little cases were brought before these Courts of Inquiry, the members of which sometimes resembled a lot of monthly nurses sitting at gossip around a tea-table. They discussed questions which the Duke of Wellington always allowed to be settled by the officers themselves, and the result was that, in consequence of the system of personal government in the Army, the utmost dissatisfaction prevailed. Some droll instances of this had come out before Courts of Law, such as that where an officer complained of Colonel Dawkins putting his tent so as to obstruct his view of the Black Sea. Whether one officer had rightly refused to shake hands with another was a question which never ought to go further than the informal court of honour which the officers of the regiment held among themselves. There was a great deal too much of this sort of thing, and it showed that the military and social condition of the Army had deteriorated. Another point—great injustice also was done to men by delay of trial after arrest; and in reference to the point, he would ask hon. Members to look at the case of Captain Hawtrey, of the Royal Victoria Hospital, Netley. That officer was placed under arrest, and though the Articles of War declared that an officer placed under arrest should be brought to trial as speedily as possible, yet it was 54 days before he was even acquainted with the charge upon which he was placed in his humiliating position; and, in spite of repeated applications, it was seven months before he was, at the direction of the Commander-in-Chief, released from arrest. The charge was of having appropriated certain articles the property of Government. In the end he was dismissed from the Service—after his release—on the proceedings of a Court of Inquiry, and from 1873 to that day he did not know what those proceedings were. This case would be sufficient to show how dangerous, how discreditable, such proceedings were to the efficiency of the Army, and if they were permitted to exist, it would not be creditable to the House; for surely that efficiency depended not only on *esprit de corps*, but on the feeling that should animate both officers and privates that in all cases of difference of opinion they could rely on the decision of a true, impartial, unprejudiced authority, with liberty of further appeal. He felt the difficulty of speaking with perfect frankness on one of those great institutions connected with their great fame, and of which this country was justly proud. If, unhappily, from temporary circumstances its administration had come into disrepute, he would say it was more from individual weakness than from any dishonourable intentions; but feeling that, he felt it all the more necessary the House should re-organize the administration of military discipline, making it impossible, on the one hand, to make mistakes, and, on the other, taking means to prevent corruption and secure equal justice. He ventured to say that men to whom the glories of the country were intrusted ought not to be submitted to such a doubtful system, and he commended his Motion to the House as one which alone could assure the future of the Army. He urged that justice should be done in the Army, as by that means only could we retain an Army prompted by a loyal and patriotic devotion to the country, and which should be able to discharge the great and noble duties devolving upon it. The hon. Gentleman concluded by moving the Amendment, as amended, of which he had given Notice.

Sir ALEXANDER GORDON, who had the following Amendment on the Paper:—

> "That, in the opinion of this House, it is not desirable that any change should be made in the constitutional relations which at present exist between the Crown, the Army, and Parliament,"

said, that as the hon. Member for Dundee (Mr. E. Jenkins) had withdrawn from his Amendment that part of it which referred to the appointment of legal assessors upon courts martial, he had much pleasure in seconding it. In doing so, he would address himself particularly to its latter part, relating to Courts of Inquiry, upon which he desired to offer some remarks to the House, with a view to obtaining their sanction that those Courts should be placed under certain regulations. But before proceeding to that part of the subject, he wished to refer to the general question of the Bill before the House. He thought that the Secretary of State for War would have saved a great deal of time if he had sent this new Bill, like the Bill of last year, to a Select Committee. Again, the Bill now before the House, although the right hon. and gallant Gentleman had stated that it was drawn upon the lines of the Bill laid before the Committee, was not, in point of fact, drawn upon those lines. The Bill which was laid before the Committee last year was called the Army Discipline Bill, and the draftsman had stated that the second part of the subject was included in what he called an Army Regulation Bill, but that it was not ready to be placed before the Committee. The Committee had gone very carefully through the Army Discipline Bill, but had never seen the Army Regulation Bill; and the former contained only 117 clauses, while the Bill which the House was then asked to read a second time contained 180 clauses. The Committee were informed last year that the Bill laid before them had not received the approval of the military authorities, the Commander-in-Chief having stated that he could not be responsible for any part of it, and that neither he nor his Staff had had the opportunity of going over it. With regard to the Bill before the House, there was even then no security that the Commander-in-Chief and his Staff had examined it and approved its provisions, and therefore he was confirmed in his opinion that time would have been saved had the Bill been sent to a Select Committee; but as neither course had been adopted, hon. Members would have to thresh out the subject in Committee as best they could. Another point on which he was disappointed was that the House had not before it the draft of the annual Bill by which it was intended to bring the Army Regulation Bill into operation. A great deal depended on the wording of the annual Bill; and in a question of so much importance as that under consideration, the House should be in possession of the whole scheme of the Government. He could not, therefore, conceive why the right hon. and gallant Gentleman the Secretary of State for War had not presented a draft of his annual Bill. Turning to Courts of Inquiry, he (Sir Alexander Gordon) held, in common with nearly all the superior officers of the Army, that those Courts as now used were most objectionable, and that they were not recognized either by Parliament or by any legal authority whatever. If hon. Members would turn to the 6th clause of the Mutiny Act, they would find that—

> "For the purpose of bringing offenders against this Act and against the Articles of War to justice, Her Majesty may, from time to time, in like manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding of Courts Martial within the United Kingdom of Great Britain and Ireland."

Such was the course laid down by Parliament when officers committed offences against military discipline. It would also be found that clear instructions on that point were further laid down by the 18th Article of War, which said that—

> "When any person subject to the Mutiny Act should be charged with committing an offence, he shall, if necessary, be put under arrest, and every soldier so put under arrest shall be brought to trial . . . ."

Nothing could be clearer than that the intentions of Parliament were that a court martial should be the tribunal before which every officer or soldier accused of an offence should have the opportunity of clearing himself. But a practice had been lately introduced, and was being gradually extended, of suspending an officer from his duty; and, instead of putting him under arrest and trying him by court martial, as required by the Mutiny Act and Articles of War, he was now brought before a Court of Inquiry. In the Mutiny Act and in the Articles of War, not one single word was to be found relating to suspension from duty, which was unknown and unrecognized. Neither did those Acts contain any instruction for the examination, by means of Courts of Inquiry, into the conduct of officers or soldiers; they were, therefore, not recognized by any laws passed by Parliament for the regulation of the Army. In his opinion, it was a very great injustice that the course defined by Parliament should not be followed; because the neglect of that course opened the door to every kind of irregularity and hardship. He was aware that it was said by the authorities with regard to these Courts that "they are never held;" "we know nothing about them;" "they are never recognized." But it was precisely for these reasons that the grievance existed. He had before him the record of the proceedings of two Courts of Inquiry. At the first of these, 14 witnesses were brought forward on the side of the prosecution by the commanding officer, and they were all civilians. For the defence there were three witnesses who were also all civilians. One of the witnesses for the defence was the dean of the diocese within the limits of which the Court of Inquiry sat; another witness was a lady who had for a long time been an acquaintance of the dean. The officer on whom the Court of Inquiry was held was never allowed to know the decision at which it arrived; and to that day, therefore, he remained in ignorance as to whether or not he was cleared of the charge. In the next case, 12 witnesses were brought on the side of the prosecution by the commanding officer. They were all either non-commissioned officers or privates. But not one officer was brought to prove the charge alleged against the officer, who put forward in his defence but one witness, whose testimony scattered to the winds all the evidence that the commanding officer had brought forward. In that case, also, the officer was not allowed to know the decision of the Court. It could not be denied that such proceedings were a deviation from the law as laid down by Parliament, and constituted a great grievance. He would like the House to compare the case just referred to, in which 12 soldiers were brought forward to give evidence against an officer, and that relating to the imprisonment of a soldier in the guard-room, about which the hon. Member for Newcastle (Mr. J. Cowen) had asked a Question of the former Secretary of State for War (Mr. Gathorne Hardy). The hon. Member asked—

> "Whether it was true that Private George Mills, of Her Majesty's 94th Regiment, was, on the 29th day of January last, put under arrest, he having made a grave charge against an Officer of his Regiment; that he was so continued under arrest until the 10th day of February following; that in the meanwhile the Officer against whom such charge was made, having been placed under arrest, broke his arrest and absconded, and subsequently sent in his resignation, whereupon Mills was released; whether the imprisonment of George Mills in the above circumstances and his subsequent discharge without trial were in accordance with Military Law; and, whether he is entitled to receive any compensation for his imprisonment?"

To this Mr. Gathorne Hardy had replied—

> "The statement contained in the Question of the hon. Gentleman is generally correct, but not altogether so. The private in question, George Mills, made a charge against an officer of his regiment for an offence committed in the August previous. He was put under detention. He was not imprisoned, but confined in the guard-room, and as his pay was continued to him he suffered no loss whatever. On the officer absconding an order was sent from the Horse Guards for his release on the 8th February, and on the 10th he was released. Under such circumstances, his detention was strictly in accordance with law, and was both legal and justifiable."—[3 *Hansard*, ccxxxiii. 11.]

He (Sir Alexander Gordon) maintained that his detention was neither justifiable nor according to law; and he thought that, while they were dealing with the Act now before the House, steps should be taken to prevent a soldier being placed in confinement for stating of his own accord what he knew in order that justice might be done. He would just read two lines of the evidence given by His Royal Highness the Commander-in-Chief before the Select Committee last year. His Royal Highness, on being asked whether the course pursued in the case of George Mills was according to law, replied—

> "Of course, if a man merely wants to make a statement, you would not confine him; but if a man had used bad language or anything of that sort, of course then he would be confined, because it is an offence, however trivial it may be."

That was precisely the argument which he (Sir Alexander Gordon) used. Again, with regard to Courts of Inquiry, he would like to quote the evidence of two witnesses who were examined before the Court Martial Committee. The first of these was Sir Henry Storks, one of the most able and practical soldiers in the Army, who, when asked his opinion as to Courts of Inquiry, replied—

> "They are unsatisfactory, but they are useful in some respects; for instance, for inquiry into circumstances which took place, such as a fire or robbery, because there you really have a tangible form of evidence;"

but he never gave it as his opinion that they were a proper means of investigating crimes committed by officers, non-commissioned officers or privates; on the contrary, he said "he thought them very unsatisfactory tribunals" for that purpose. The Commander-in-Chief was also examined by that Commission; and he (Sir Alexander Gordon) asked the House to notice the practice of Courts of Inquiry as stated by His Royal Highness himself, because no hon. Member could doubt that his statement was a correct one. His Royal Highness said—

> "When any grave offence is committed, and the case is not a very clear one, a Court of Inquiry is constituted to ascertain, as far as possible, the circumstances in which that offence has been committed."

The House had already been shown the course ordered by Parliament, and hon. Members had now before them the statement of His Royal Highness the Commander-in-Chief that another course was adopted. Again, being asked—

> "Are Courts of Inquiry in practice ever followed by such consequences to officers as the loss of a commission?"

His Hoyal Highness replied—

> "No; but a man may be advised, after a Court of Inquiry, that he had better resign his commission or else stand a court martial, and he often prefers to resign his commission."

The Commander-in-Chief went on to say—

> "That Courts of Inquiry could not be considered to be very satisfactory tribunals in one respect, as they could not compel witnesses to appear before them, nor could the evidence be taken upon oath."

And he further stated, in answer to the question whether he could recollect any case in which hardship had been suffered by an officer in consequence of a Court of Inquiry having been held, that "he was not aware of any," and that the results which followed "were the act of the Crown and not of the Court of Inquiry." That was precisely the grievance of those who objected to these Courts of Inquiry. The Court sat, and although it passed no sentence, the Crown was advised to act upon the opinion of the Court of Inquiry, instead of subjecting the accused to court martial. Article 66 of the Regulations of the Army embodied his (Sir Alexander Gordon's) idea of what the functions of a Court of Inquiry ought to be—namely, that—

> "It should be employed when required to give an opinion on any proposed question as to the origin or cause of certain existing facts."

And if the practice had been confined to the Regulation, nobody would have had any objection to offer. As Sir Henry Storks had said, if a fire had taken place, or a robbery had been committed, those were facts which a Court of Inquiry might examine; but it was a wholly different thing to subject the conduct of an officer to the examination of a Court of Inquiry. With the permission of the House, he would read the Regulations of the United States with regard to military Courts of Inquiry. The Ordinance was dated as far back as 1786, and stated—

> "In such cases, where the general or commanding officer may think proper to order a Court of Inquiry to examine into the nature of any transaction, imputation, or charge against any officer or soldier, the said Court shall be conducted upon the following regulations:—It may consist of one or more officers, not exceeding three, with a Judge Advocate and a suitable person as Recorder, all of whom shall be sworn to the faithful performance of their duties; this Court shall have power to summon witnesses, and to examine them on oath; it shall

give an opinion respecting the charge alleged, and the parties accused shall be permitted to cross-examine the witnesses brought forward; but as Courts of Inquiry may be perverted, and may be considered as engines of destruction in the hands of a weak and envious commandant, they are hereby prohibited, unless demanded by the accused."

Thus it would be seen that in America, a century ago, they were so advanced in justice and equity that they would not allow a Court of Inquiry to assemble, unless asked for by the accused. That Act was amended in 1806 in the following manner, by adding the words:—

"But as Courts of Inquiry may be perverted to dishonourable purposes, and may be considered as engines of destruction, they are hereby prohibited, unless directed by the President of the United States, or demanded by the accused."

Thus, after having had experience of the Act for 20 years, they added the President of the United States, as the only person authorized to order a Court of Inquiry. But in this country every commanding officer, every captain might order a Court of Inquiry, under such regulations as he might think proper to make. He might hold a secret Court, and put the record of its decision in the fire; he might let the accused know the result, or otherwise, just exactly as he pleased. He would remind the House that the originator of the Committee that sat last year was the late Sir Colman O'Loghlen, the former Judge Advocate General, whose Notice of Motion, made two years ago, implied that the Reference to the Committee should embrace, not only courts martial, but also Courts of Inquiry. He (Sir Colman O'Loghlen) was strongly of opinion that Courts of Inquiry were objectionable, and had he lived he would have pressed on the Government that there should be no Courts of Inquiry. The Government, however, had not allowed the scope of the Committee of last year to extend to Courts of Inquiry, which they had accordingly struck out. He (Sir Alexander Gordon) thought he had shown that the law, as laid down by Parliament, did not recognize Courts of Inquiry, and that the sole judicial tribunals recognized by Parliament were courts martial. If, therefore, Courts of Inquiry were to be maintained—and he saw no objection thereto if they were properly conducted—he asked the House to put them under proper regulations, so that all officers and men might serve their country with feelings of satisfaction and security, from their conviction that no secret charges could be brought against them without their knowledge, and without full inquiry, that they would be made acquainted with the result of that inquiry, and that the old English maxim *ubi jus ibi remedium* would be acted upon.

Amendment proposed,

To leave out the word "That" to the end of the Question, in order to add the words "no measure for the Discipline of the Army will be satisfactory which does not secure to every officer accused of any military offence a speedy and impartial trial by a military tribunal, selected under regulations enacted by Parliament, in such a manner as to ensure that the constitution of the Court shall be free from any suspicion of favouritism or prejudice, and act under the rules of evidence governing ordinary legal tribunals, and which, moreover, does not provide that any military officer accused of a military offence shall be tried by a court martial, and not by the secret and informal proceedings of Courts of Inquiry,"—(*Mr. Edward Jenkins,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL ALEXANDER said, that the hon. Member for Dundee (Mr. E. Jenkins) had stated with perfect truth that there were as many as 8,000 courts martial in one year which were not attended by legal assessors. That was true, however, for the simple reason that in eight out of ten cases they were mostly of such a trivial nature as not to require any legal assessor at all. Any hon. and gallant Member in that House who had served as a regimental officer in the Army knew that these courts martial, and especially regimental courts martial, were convened mostly to try cases of absence without leave, and the evidence that was given was simply formal. They were mostly cases that might be settled at once by the commanding officer, and without a court martial at all. But in all difficult cases legal assessors were always appointed in the shape of deputy Judge Advocates, who had studied and passed a special examination in military law. The hon. Member for Dundee had alluded to the evidence of Sir Henry Thring. Sir Henry Thring had rather surprised the hon. and learned Member for Oxford (Sir William Harcourt), who was the Chairman of the Committee, by stating that a court martial was not a Court at all, and for this reason, as stated by the hon. Member for Dundee, that its decisions were liable to be revised by a confirming authority. It was quite true that the confirming authority would send back sentences for re-consideration; but it could not compel the members of a court martial to alter their decision. It was within his (Colonel Alexander's) own knowledge that courts martial had sent back the reply that they respectfully adhered to their former finding. Then, with regard to the statement of Sir Henry Thring that a court martial was neither a Judge nor a jury, he (Colonel Alexander) respectfully submitted to the House that it was both, and that the wording of the two oaths which the members took proved such to be the case. The first oath was that—

> "You shall well and truly try and determine, according to the evidence in the matter now before you?"

They took the oath in their capacity of jurors. Then they took another oath in their capacity of Judges, which was—

> "You shall swear that you will duly administer justice, according to the rules and articles for the better government of Her Majesty's Forces."

As he entirely approved of the principles of the Bill, he intended to give it his hearty support. At present the penal discipline of the Army was dealt with by the Mutiny Act and also by the Articles of War, the latter being dependent on the former. Most of the witnesses who had been examined thought it was most objectionable to have two documents side by side dealing with that matter. As the hon. and learned Member for Oxford, who presided over the Select Committee, had said, either the two things were identical, and then one of them was useless, or they must be different, and then both were confusing. It was quite true that the Mutiny Act and the Articles of War were periodically read to the troops; but every officer knew what a complete farce that ceremony was. Not one man in 50 heard what was read; but that was of the less consequence, as they could not possibly understand it if they did hear. The plan of consolidating the Mutiny Act and the Articles of War was, therefore, in his humble judgment, an excellent one, and he could not understand the suspicion with which it was viewed by hon. Members opposite. Parliament was not now asked to part with any of its control, but quite the reverse. Over the Articles of War it had exercised no control whatever, and he (Colonel Alexander) had ventured to point out, when the late Sir Colman O'Loghlen brought the subject before them, that they had never had any guarantee that the Articles of War were in accordance with the Mutiny Act. Mr. Clode had well said that while that House had been gradually asserting its authority over the Mutiny Act, the Crown had always claimed the prerogative of passing Articles of War. But henceforward, if this Bill became law, the Mutiny Act and the Articles of War would be embodied in one document, to which reference would be made in an annual Act, and then it would be competent for any hon. Member to propose to alter or repeal any particular clause of the permanent Act. It was quite true that the Crown would still retain to itself the prerogative of passing new Articles of War; but he thought it was a power which would very rarely be exercised, as he believed, as Sir Henry Thring had pointed out, that it would be impossible for the ingenuity of man to discover any crime which could not be dealt with and punished under the existing Act. He, while giving his general support to the Bill, could not, however, commend all its defects, one of which certainly appeared to him to be that it had been prepared with undue haste. Some very important and, indeed, startling changes were introduced into the Bill. Take the power of commanding officers. Although there was only one witness, the Commander-in-Chief, and although he expressed himself in the strongest terms as being opposed to the reduction of non-commissioned officers otherwise than by court martial, a clause of the nature already referred to had been engrafted in this Bill. The Duke of Cambridge said in his evidence that he was of opinion that—

> "You ought not to give summary power to break non-commissioned officers; it should be done by a court martial;"

and he (Colonel Alexander) regretted that view was not adhered to in the Bill. With regard to half-pay officers, although the Committee thought it inexpedient to pronounce any opinion, in the absence of any decided information, as to whether those officers should be brought within the scope of military law, a clause was introduced into the Bill rendering half-pay officers liable. That was a change of great importance, and one which he hoped the House would not sanction. There were also some alterations in courts martial on officers which were not very desirable. He was of opinion that cashiering as at present, and not imprisonment, as proposed in the Bill, ought to be the sentence on the conviction of an officer for scandalous conduct unbecoming an officer and a gentleman; and he should propose an Amendment to that effect in Committee, so that the clause might stand as it was in the present Act. With regard to the power which it was intended to give commanding officers to inflict 21 days' imprisonment on soldiers, he thought it would be well to limit it to cases of absence without leave where the evidence was purely formal and not to be given on oath. This was a rather dangerous power to give, and he thought the possession of it might tempt some commanding officers to make use of it more than they ought to do for the purpose of gaining the credit of keeping down the number of courts martial in their regiments. In conclusion, he must express his satisfaction that if the Bill became law a court martial would never be re-assembled for the purpose of increasing a sentence, and that a verdict of acquittal would be at once notified to the accused. He thought it would require very considerable amendment in Committee; but it went in the right direction, and he hoped that the House would consent to read it a second time.

SIR HENRY HAVELOCK, who had placed the following Amendment on the Paper:—

> "That, in the opinion of this House, it is not expedient unduly to increase the powers of Commanding Officers as to the summary imprisonment of soldiers, and the summary reduction of Non-Commissioned Officers without trial by Courts Martial, nor to enlarge the powers of the executive by bringing half-pay Officers under the operation of the Mutiny Act, in the entire absence of any proof that such increased powers are necessary to the Discipline of the Army, or are called for by any existing defect in its working,"

said, he must formally recant the approval he had expressed of the Bill when it was introduced. On that occasion he had been, no doubt, unintentionally, misled by the right hon. and gallant Gentleman into supposing that the Bill followed pretty closely on the lines of the recommendations of the Committee of which he had the honour to be a Member. He now found there had been a considerable departure, and he could not say that the changes had been improvements in any sense of the word, for it was almost impossible to recognize the Bill as a part of the original scheme. It was understood that the alterations were in the direction of simplification; but it would hardly be contended that simplification was the merit of this Bill. Indeed, it would appear that the drafters had gone about trying to make the language of the Bill as obscure and difficult to understand as it was possible. The two greatest objections he had to the Bill were those embodied in the Amendment which stood in his name upon the Paper. The first of these objections concerned the increased powers given to commanding officers as to the summary imprisonment of soldiers. The Committee desired to extend the soldier's power of appeal, whereas the Bill materially limited it, and there was no sufficient evidence for the necessity of the change. The powers of the commanding officer were delegated to all officers, however young, commanding detachments, however small, so that the practical effect of the change would be to give young officers an irresponsible power of awarding a soldier 21 days' imprisonment on inquiries conducted without sworn evidence. Such a change was not called for by any circumstances of the Service of which the Committee were aware. It would not reduce the number of courts martial; but, on the contrary, it would increase them, because it would induce soldiers, as often as possible, to avail themselves of the right of appeal. He would, therefore, in Committee, propose this limitation—that the power of imprisoning for 21 days should be confined to officers of the rank of field officers, except in cases of absence without leave. His second objection related to the bringing of half-pay officers under the operation of the Bill. That was a change that was entirely unnecessary, as the existing powers of the Secretary of State were sufficient to meet the requirements of every case. He should therefore move in Committee the omission of this clause. Many matters were not in the Bill which he had hoped to find in it; and he could not discover that the Militia Reserve Act, or the Army Reserve Act of 1867, or the two Enlistment Acts of 1870 had been introduced. He could not support the Amendment of the hon. Member for Dundee (Mr. E. Jenkins) in its entirety, though he agreed with its intention, because it was so worded as to do injustice to the working of the military law in one or two particulars. The hon. Member made it appear, for instance, that it was necessary for legal assessors to be appointed at military trials. The hon. Member was probably not aware that legal advice was obtainable by the accused whenever it was considered necessary for the purpose of his defence. He (Sir Henry Havelock) had never known a case in which a soldier had desired legal advice and had not obtained it, even though his means were not large enough to provide it for himself. The hon. Member also fell into another mistake in speaking of officers being tried "by the secret and informal proceedings of Courts of Inquiry." A Court of Inquiry was not in any sense a judicial tribunal, nor could it try anybody. It was simply a Board of Inquiry assembled for the purpose of obtaining and bringing together evidence, so that those who had to adjudicate finally upon the case might be able to form an opinion from the summary thus laid before them. The defect in the existing Courts of Inquiry was not so much that they were secret and informal, for it was not the practice to hold them behind the back of the officer whose interests were affected, and the Regulations enjoined that the accused should have the right to be present and cross-examine witnesses, but that they were sometimes used for purposes for which they were not intended. He thought there was occasionally a tendency on the part of the military authorities to use them unduly; and in the interests of military administration itself, it would be better that a Court of Inquiry should never be opened except as the preliminary of a court martial. He believed that if that were the custom justice would almost invariably be done. Only two results ought to be possible as the end of a Court of Inquiry, either the full acquittal of the accused, or his subsequent trial by court martial; so that in either case the justice of the process would be evident. When the House went into Committee on the Bill, he should move an Amendment to that effect. On the whole, it must be evident to everyone familiar with the administration of the Army that his hon. Friend the Member for Dundee, from imperfect information, had somewhat done it an injustice. He should have liked to have seen the Bill referred to a Select Committee; but as the Session was now too far advanced to permit of that course being taken, he hoped that in Committe of the House full opportunity would be given for the discussion of the several clauses, so that they might make the Bill a good addition to military administration.

Sir WALTER B. BARTTELOT said, that none would deny the importance of the measure before the House; nor would anyone acquainted with the Service oppose the second reading. In many respects he agreed with the criticisms of hon. and gallant Members; but he was surprised to find the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) seconding the Motion of the hon. Member for Dundee, as the hon. and gallant Member's own knowledge of how Parliamentary Business was conducted ought to have told him that he was much more likely to obtain the provisions which he required by allowing the Bill to go into Committee than by meeting the second reading with a hostile Amendment. He quite concurred in what had been said of Courts of Inquiry by the hon. and gallant Member for Sunderland (Sir Henry Havelock), and believed that they ought to be regarded only as the means of obtaining as much information as possible, and if it should then appear that there was any case coming under those cases for which a court martial was applicable, a court martial should follow. He believed that if such were the practice no objection would be felt to these Courts, and that in many instances they would prove efficacious and useful. Then, again, he agreed with the remarks of the hon. and gallant Member for South Ayrshire (Colonel Alexander) as to the inexpediency of bringing half-pay officers under the Mutiny Acts. This was an absolutely new proposition, and ought not to be introduced into any Bill of the kind; and he hoped that his right hon. and gallant Friend the Secretary of State for War would be open to conviction on that point. The power of commanding officers to give 21 days' imprisonment was another question that might very properly be reserved for consideration in Committee. It would be found desirable, in some instances, that the power of commanding officers should be increased; in others, and particularly where young and inexperienced officers were in command, that it should be diminished. A branch of the general subject of the power of commanding officers was contained in Clause 173, from which it appeared that they had power to degrade non-commissioned officers, or, at least, such was his inference from the wording of the clause. The point was one that would deserve the attention of the Committee, together with the question raised by the hon. Member for Wenlock (Mr. A. H. Brown) as to the authority under which the Volunteer Forces would be placed if they were called out with the Regular troops. He was quite sure that he only echoed the sentiments of most of the Volunteers in hoping that both they and the Regulars might serve under precisely the same military regulations, and that they should, when called out, be treated in precisely the same manner as the latter. He could not say that the Bill was well drawn; but he hoped Her Majesty's Government would receive the assistance of the hon. and learned Gentleman the Member for Oxford in improving it when in Committee. He trusted the Bill would be read a second time that evening.

SIR WILLIAM HARCOURT said, that whatever assistance he could render in Committee on the Bill would be at the disposal of the Government. But he wished to say a word or two on behalf of the Committee after what had been said by the hon. Member for Dundee (Mr. E. Jenkins), who, he regretted to see, was not in the House to hear the answer given to the strictures he had passed upon it. That hon. Member was not a person who dealt in universal approbation. He (Sir William Harcourt) should say that the turn of the hon. Gentleman's mind was of an opposite description; and he doubted whether the work of any Committee would meet with his approval of which he was not a Member, and himself the Chairman, and on which he had his own way. But the Committee, which had not had that advantage, did their best, though they very properly, as he thought, set limits to their work. There were a great number of military questions upon which they declined to pass judgment, as they thought that a Parliamentary Committee was not the best body to settle questions relating to military discipline. They had, indeed, expressed their view that these were matters that must come before the House of Commons, on the recommendation of the military authorities. The administration of the Army was, in the highest sense of the word, the business of the Executive Government; but, of course, they required Parliamentary sanction for their recommendation, and the responsibility of adopting any recommendations on the subject which might be made belonged to them rather than to a Parliamentary Committee. How was it possible, for instance, that a Committee could form an adequate judgment as to the power with which a commanding officer ought to be intrusted? Any recommendation upon such a point should, he thought, come from the military authorities. The subject of half-pay was, perhaps, on rather a different footing, though on that point he was inclined to be guided by the opinion of those best able to form one; and upon that, too, the Committee declined to pronounce a decided opinion, believing that the same authorities were the persons best fitted to deal with it. Having received no strong opinion upon these points from the military authorities, they had left it to the Government to make such recommendations to the House of Commons as they saw fit, and to give such reasons for them as they thought proper. When the Bill came into Committee, the House would then be able to judge of the reasons. There was only one other point of serious consequence raised, and that formed the subject-matter of the Amendment. The hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) had been anxious to bring this before the Committee; but the Committee did not pronounce upon it, because Courts of Inquiry were not by their very nature subjects of statutory enactment. They arose from the unquestionable Prerogative of the Crown to dismiss an officer at its pleasure from its service. There were certain servants of the Crown, such as the Judges, who held their offices during good behaviour, and could not be removed at its pleasure; but if the tenure of a commission in the Army was to be placed upon the same footing, and not to be during pleasure—he would not say whether it was right or wrong—then a most revolutionary change would be made, and the officers of our Army would, in that respect, be put in a different position from that in which they had ever stood before, or from that which the officers of any other Army in the world occupied. The alteration was one, therefore, for which he thought very strong reasons should be given before it was assented to. The Crown had a perfect right to remove an officer, not for any military offence, but because he might be supposed not to be the most fit person for the particular appointment which he filled. There were, in fact, many things which might be good grounds for an officer's removal, but which would still not be proper subjects for inquiry by a court martial, and on which it might be desirable to have the opinion of a Court of Inquiry, consisting of those of equal rank with the accused. Such a Court, properly constituted, was merely what he would call a Court of Conscience, which guided the judgment of the Crown in the exercise of what was the absolute, but what might undoubtedly be made an oppressive, Prerogative. A court martial had a totally different function to fulfil. A Court of Inquiry might, as he suggested, possibly be used with great hardship for purposes for which a court martial should be employed, and it might be a very salutary change to prevent that abuse and to confine them to their proper functions. If some provision were made in the Queen's Regulations, or otherwise, as to the subject-matters to which Courts of Inquiry should be applied, that object might, without difficulty be effected. There were many parts of the Bill on which he was incapable of forming an opinion; but the great merit of it, to his mind, was that it was a consolidation of the Mutiny Act and the Articles of War. The consent by the Crown to bring the Articles of War into the Mutiny Act was a great concession and advantage. It had brought the whole thing under Parliamentary revision and control. There was still left to the Crown the power of making Articles of War in unforeseen cases, which was very just and proper. There was only one criticism which he had to make on the Bill, and that was on the 40th section, commonly called "The Devil's Clause," which provided for offences "to the prejudice of military discipline." That clause dealt with those who were guilty of conduct that was a breach of military disclipline, such as had not been specified in previous clauses. The words "though not in this Act otherwise specified," were used in it, and under their operation a man might be tried for any offence whatsoever; and it had been recommended by the Committee that, although there should be some such general clause, it should not be used as a substitute for the other clauses in which particular offences were specified. He should, therefore, in Committee, move that the word "though" in the clause be struck out, with the view of giving effect to that recommendation. He hoped the Government would have the support of the House in the second reading, and that the House might soon set seriously to work to amend the Bill in Committee.

Sir JOHN HAY said, he entirely concurred in what had fallen from the hon. and learned Gentleman opposite (Sir William Harcourt). He must observe that he had given Notice of his intention to move in Committee the omission from Clause 166 of the word "half-pay," and that he saw that word in the clause with astonishment, as the effect of its insertion would be to bring officers on half-pay within the operation of this Bill. He read the evidence which was given at considerable length on the subject, and he did not gather from that evidence that it was considered desirable by the Committee that any such provision should be introduced. In fact, one of the witnesses, who professed to speak for his right hon. and gallant Friend the Secretary of State for War, distinctly took care to reserve his opinion. He hoped his right hon. and gallant Friend was still open to conviction, and that the word "half-pay" would be struck out without the necessity of moving its omission, and that the condition of half-pay officers would remain as before. Half-pay was in part a recompense for past services, and in part a retaining fee for future service; but it was not in any sense a payment for the performance of any present duty. While officers received half-pay, they were liable to the civil tribunals of this country and not to martial law. There was one opinion of great weight to which his hon. and gallant Friend did not allude. Lord Mansfield said that an officer was amenable to a court martial for an offence committed when in actual service; but that he was not amenable to trial by court martial when he was not in actual service and full pay. What he (Sir John Hay) was quoting bore rather upon the Naval Discipline Act; but he was quite sure the general course of legislation in this country was in accord with his assertion that half-pay officers had hitherto been excluded from being "obnoxious"—he thought that was the expression—to trial by court martial. He desired to make an earnest appeal to his right hon. and gallant Friend to strike out the word "half-pay," so that when the Bill reached Committee it would not be necessary to move the omission of the word. If, however, it should still be necessary, he should be prepared to submit a proposition to secure that result.

Colonel MURE said that, like the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot), he was anxious that the Bill should pass its second reading that evening. In reference to the speech of the hon. Member for Dundee (Mr. E. Jenkins), he thought it contained much concerning courts martial which would meet with the approval of every soldier; but there was much which was open to objection; for instance, the hon. Member had compared the right hon. and gallant Gentleman the Secretary of State for War to Cetywayo, and drew conclusions very much in favour of that eminent person. Whether the hon. Member compared His Royal Highness to Cetywayo did not appear; but in entering into questions of military discipline his hon. Friend had made what appeared to him as a military man uncalled-for and, to the minds of all soldiers in the House, ungenerous remarks on the Commander-in-Chief. He had, indeed, spoken of the Commander-in-Chief as an honourable and brave man; but that was merely a prelude to remarks derogatory to His Royal Highness. Now, during the many years His Royal Highness had been Commander-in-Chief, he had year after year more endeared himself to the Army; and the general feeling of the public towards him, excepting, of course, such ardent reformers as the hon. Member for Dundee, was one of gratitude for the good he had done to the Army, of admiration for his administrative capacity, and also for the courageous way in which he had met the many difficulties, which other Commanders-in-Chief had not had to encounter, in the numerous changes which had taken place in the administration of the Army from time to time.

Mr. E. JENKINS denied that there was anything in his speech derogatory to His Royal Highness the Commander-in-Chief. He simply pointed out that the Commander-in-Chief was placed in a position of extraordinary responsibility, which it would require extraordinary powers adequately to fill, and had suggested that he should be assisted by a Council.

Colonel MURE said, that the hon. Member for Dundee, if he had not spoken derogatively of the Commander-in-Chief, had certainly said that the authority he exercised ought to be placed in a strait-waistcoat.

Mr. E. JENKINS explained that the reference was to the prerogative of the Commander-in-Chief, and not to him personally.

Colonel MURE went on to say that he thought it difficult to separate the person from his functions in such remarks; but he accepted the hon. Member's disclaimer. Did his hon. Friend propose that we should have an Aulic Council instead of the Commander-in-Chief? He (Colonel Mure) could not approve of such a proposal, seeing that history was against the formation of such a body; for it was well known that the disaster which followed Austria in the Napoleonic wars was in consequence of their adoption of this system, and of the want of a responsible head for the Army. Suppose that Council did not satisfy his hon. Friend, would he recommend that its authority should be placed in a strait-waistcoat? With regard to the Amendment of his hon. Friend, he was surprised that it dealt exclusively with officers, leaving the common soldier, who stood far more in need of protection, utterly unnoticed. It was true that the hon. Member for Dundee referred to the private soldier in his speech; but he had left him out altogether in his Resolution. He (Colonel Mure) should have thought the private soldier was more deserving of consideration than the officer, who had, both as regarded trial by court martial and general conduct, privileges which the common soldier did not possess; and he regretted, therefore, very much to find that the case of the officers had only been mentioned. Allusion had been made to the case of a soldier who had lost his ramrod, and an attempt had been made to build upon it a charge of wilful negligence against the War Office; but if the circumstances were carefully studied in the Report of the Committee, it would be seen that the allegation of unfair dealing on the part of the War Office had no better foundation than the imagination of Mr. Cornelius O'Dowd. With respect to Courts of Inquiry, the Crown retained in its hands a very valuable Prerogative, the exercise of which must, however, be painful. There were many officers in the Army who were men of honour and of excellent moral character, but who were afflicted with what he might call a feebleness of military instinct. Their cases were dealt with by Courts of Inquiry, because a great injury would be inflicted upon them, upon their families, and upon the Public Service, if they were obliged to appear before courts martial. Then, again, there was the question of the great power placed in the hands of commanding officers, which might, of course, mean officers commanding small bodies of men. In such cases as that of Rorke's Drift, Lieutenants Chard and Bromhead, who might have been isolated for a considerable time, were properly possessed of the power of commanding officers; but he thought that at home, where an officer of inferior rank was within reach of a higher military authority, reference to such authority ought to be made, and that in no case ought the great powers conferred be exercised by anyone below the rank of a field officer. He quite agreed with his hon. and learned Friend the Member for Oxford (Sir William Harcourt) that the question of Courts of Inquiry was one which ought to be inquired into; and he hoped that what had fallen, both from his hon. and learned Friend, and from the hon. Member for Dundee, would receive due consideration from the War Office with a view to remedying the faulty state of things existing under the present system. There was a great innovation introduced by the Bill with regard to placing half-pay officers, as it were, under military discipline. One hon. Member had suggested that they ought to be dealt with by a civil tribunal. His (Colonel Mure's) own view was this—that whilst offences committed by officers while in mufti might be dealt with by a civil tribunal, offences committed by officers in uniform, and tending to throw discredit on the Service, ought to be dealt with by a military tribunal.

Major O'BEIRNE, who had an Amendment on the Paper for the rejection of the Bill, said, he commended the spirit in which the hon. Member for Dundee (Mr. E. Jenkins) had brought his Motion before the House. He (Major O'Beirne) agreed with the hon. Gentleman that Courts of Inquiry ought to be placed under well-defined rules as to what should form the subject for their consideration. No doubt, Courts of Inquiry led to great abuses, and, for himself, he must say that he altogether objected to the continuance of the system. It was a pity the Chairman of the Committee which sat on this subject last year (Sir William Harcourt) did not give more attention to the point when it was brought before the Committee. Only one witness was heard on the point—namely, the Commander-in-Chief—who, he observed, wished to retain such Courts, being perfectly satisfied with the manner in which they were conducted. It was, however, only natural that the Commander-in-Chief should wish to retain Courts of Inquiry, because they gave him immense power—which he could wield without let or hindrance—the power of retaining or dismissing any officer at his pleasure. He (Major O'Beirne) was aware of cases in which injustice was done to officers through the un-English system of holding Courts of Inquiry with closed doors. In proof of that statement, he might mention the case of Colonel Carter, commanding the 67th Regiment in Bengal, against whom a charge was brought by Colonel Gerard, and two of the witnesses whose evidence was received against him were officers whom he had previously had to report for intemperate habits. By this Bill officers on half-pay would be placed under the Mutiny Act; and, that being so, he foresaw that the Courts of Inquiry might be made use of for political purposes; for he knew that, since the advent of the present Government to power, politics had not been altogether dissociated from the Army. Half-pay officers, for instance, might desire to attend political meetings, or might use some expressions offensive to the authorities, and then the powers given by this Bill might be brought into play. He could speak from personal experience as to the way in which the authorities sometimes used their power. In 1877, when he stood for the County of Leitrim, he was an officer on full pay, stationed at Newbridge. Having become a candidate, he applied to his commanding officer for leave. His commanding officer replied that he had heard of this candidature, and he had had a conversation with General Seymour, and that they had come to the conclusion that his politics brought discredit on the regiment. He (Major O'Beirne) said he would like to have the opinion expressed in writing from the Commander-in-Chief. He was then referred to General Seymour, and went to Dublin to see him, but he was not to be found; neither could he find any deputy. He therefore renewed the application to his commanding officer, who said he would give him 48 hours' leave; but that if he were absent an hour longer he would have him placed under arrest. Now, anyone connected with the Army would know that in ordinary circumstances, if an officer applied for urgent leave it was granted him, subject, of course, to his being recalled in case of necessity by telegraph. The fact was that, in this instance, his commanding officer and General Seymour had put their heads together and exercised their authority to his prejudice, in order to help the Conservative candidate for Leitrim. It was well known that in the case of an election contest like that, the delay of a few hours, such as was occasioned to him by the circumstances he had mentioned, might be fatal. Yet the Government evidently approved the conduct of that officer, for they gave him the command of a brigade depôt in recognition of his political services, an appointment for which he was in no way qualified. His experience caused him to have not the slightest doubt that the authorities approved of politics being introduced into the Army; and, therefore, he thought it necessary that officers on half-pay should be excluded from the operations of the Mutiny Act, otherwise they would be practically prevented from taking any independent part in politics. A Liberal officer engaged in a political contest might find himself summoned to a Court of Inquiry at the very time when he wanted to be at the election. Another objection he had to the Bill was that it contained no provision for the establishment of a Court of Appeal from the Military Tribunal for officers and privates, and the Commander-in-Chief could set aside the decisions of the Judge Advocate General. A Court of Criminal Appeal was to be established for the benefit of civilians, and why should soldiers be debarred from a like advantage? The establishment of such a Court, though discountenanced by the Commander-in-Chief, was supported by the Judge Advocate General, who, from the position which he held, was well qualified to form an opinion. He also objected to the present Bill because of the defective manner in which it had been drafted, its language being involved, perplexing, and puzzling in the extreme. He would, however, reserve further criticism until the Bill was in Committee.

CAPTAIN MILNE HOME said, he could not approve the Bill in its present shape, but hoped that in a modified form it would speedily become law, as it dealt with many matters in respect of which reform was urgently demanded alike by the Service and by the public generally. He approved that part of the Bill concerning recruiting which proposed to do away with what was popularly known as "the Queen's shilling;" but he could not regard with favour the suggestion that recruits should, after three months of service, be allowed, on payment of £10, to claim their discharge. He was not able to speak with perfect accuracy in regard to the Infantry branch of the Service; but, as far as the Cavalry was concerned, he felt certain that the first three months of a man's service cost the country at least £30, and that the training through which he passed fitted him to earn a higher wage than he would otherwise have received in the position to which he might return, and which he had left in order to join the Army. Again, he thought some difference should be made in the penalties attaching to officers discharged from the Service, as between those who had paid for their commissions and those who belonged to the non-purchase corps. With modifications, the Bill would give satisfaction to the Service and to the public at large; and he hoped the Government would see its way to make such alterations as would bring about so satisfactory a result.

Mr. A. H. BROWN, who had a Notice on the Paper to the effect that—

> "While it is expedient to bring the Volunteer Force more under control of the Military authorities, it is inexpedient to sanction the provisions of this Bill, whereby the right of a Volunteer to resign, guaranteed to him by the Volunteer Act of 1863, is in certain cases abrogated,"

said, he agreed with much of the criticism that had been passed upon the Bill. He might point out that, when Volunteers were being exercised, the presence of the very smallest portion of Her Majesty's Regular Forces, even of a single inspecting officer, would bring the Volunteers on parade under the operation of the Bill. This he regretted. The Bill affected the civil rights of an immense number of Her Majesty's subjects. The proposal of the Bill was to punish the Volunteers as they would punish the Regulars, and that was a power which he thought would tend to diminish the popularity of the Volunteer Service. What was to be relied upon, in order to keep the Volunteer Force efficient, was a mixture of discipline and *esprit de corps;* and the imposition of pains and penalties would, in his opinion, cause the Force to melt away. He contended that it was not fair to apply the Mutiny Act to the Volunteer Force, seeing the different circumstances under which men became members of the Army and the Volunteers. The Volunteer Force could cease to exist in 14 days if they chose to resign; and in applying these provisions to the Volunteers they were committing something like a breach of faith. Two hundred and one commanding officers of Volunteers approved of the right of resignation in 14 days, and 86 did not, and it was well known that the power of resignation in 14 days was the foundation upon which the Volunteer Force was based, because, while trying to become as good soldiers as circumstances permitted, they were civilians, and had their business to attend to; but if they were to be bound by a longer period they would cease to be Volunteers. Then as to the machinery of the Act, the offence of drunkenness was probably a crime which a Volunteer would commit. They had no pay that could be stopped, and to inflict imprisonment on them would be to punish them more severely than the Regular Force. The effect of that would be very serious on the Volunteer Force, for they would be punishing as a military crime what in civil law was considered no crime at all, and it would be a great injustice to their wives and families that they should be sent to prison. With regard to the power of imprisonment for 21 days in the hands of the commanding officer, it was a strong power to put in the hands of any Regular officer, however able he might be. If the House went to a Division, he should not vote for the Amendment of his hon. Friend the Member for Dundee; but he trusted that the right hon. and gallant Gentleman the Secretary of State for War would reconsider his decision with regard to the Volunteers.

Major NOLAN said, he believed that the portion of the Bill which dealt with administrative changes would prove very good; but he was not at all certain that even that portion was necessary, because the Secretary of State could have effected by Royal Warrant everything he now proposed to effect by the Bill. They were told that it was to take the place of the Mutiny Act and the Articles of War, and that matters would thereby be simplified; but although it might simplify matters, he did not think they had been simplified to the extent which they might have expected. There were a great many more clauses involving considerable changes—changes which would have the effect of stultifying the action of those who wished to bring forward grievances. The hon. and learned Member for Oxford (Sir William Harcourt) had stated that it was a concession from the Crown that Parliament should be allowed to put the Articles of War and the Mutiny Act into one Bill; but he (Major Nolan) did not think the hon. and learned Member was putting the case quite fairly. What did Parliament gain by it? In the old Mutiny Act they gave the right to the Crown to make the Articles of War, and it was very doubtful whether the Crown could make the

Articles of War without that authority. In fact, they gained very little, while, on the other hand, they lost enormously. This Act would be passed once for all, and would be renewed every year by a continuing Act, upon which hon. Members would be precluded from going into the details of clauses. So that it was altogether a mistake to say that the Bill increased the power of the House of Commons. On the contrary, the Bill involved a great loss of power to the House and a great gain of power to the Executive. He objected to the Bill that it gave very undue power to commanding officers. To give an officer the power of ordering 21 days' imprisonment, instead of seven days as heretofore, was a very serious thing indeed. He did not think colonels of regiments were worse than magistrates; but they were more interested in giving heavy punishments. Such an officer would not very often be found fault with, although he might be found fault with for being too lenient. A body of men like a court martial was less likely to be biassed than one man, and any increase in the power of the commanding officer ought to be looked on with great jealousy, inasmuch as it might work great injury to the men. The second in command was not in as good a position as the commanding officer. The commanding officer might disapprove of a lenient punishment, but would not be so likely to do so in the case of a heavy punishment, because he would be glad to have it thought that he was more lenient than his subordinate. It might be said that there was the right of appeal; but that was illusory, as an appeal to court martial would be almost certain to lead to increased punishment, unless it was specially provided that in no case should a court martial on appeal inflict a greater punishment than that ordered by the commanding officer. Unless some such provision were inserted, the soldier would never appeal. It had been argued that an increase in the punishing powers of the commanding officer would decrease the number of courts martial; but the decrease would, at the outside, be something under 500, so that as a regimental court martial occupied three officers for something less than an hour, the total possible saving was about 1,500 hours, or about one officer's time. The real object, therefore, could not be the gaining of time, and he submitted that it must be the gaining of power. The court martial was a great check in this respect, both on the War Office and on the commanding officer; but once allow the commanding officer to deal with crimes individually, and the check would be removed. He had always been of opinion that courts martial should have the power to give less punishments to sergeants and non-commissioned officers, and he was glad to say that power was introduced into the Bill for that purpose; but he was sorry that it was accompanied by a new power, by which for a single and trivial offence—say a very slight tipsiness—might be broken and reduced to the ranks, not by the court but by the colonel, who might easily find cause for reducing a man that he disliked. There was no check upon the action he might take in this respect, and the result would be that the non-commissioned officer would be placed more in the position of a servant to a commanding officer, and this could not be done without the one losing some respect for the other. The Bill also deprived warrant-officers and the large class of master-gunners of the protection which they now had. In reference to drunkenness, the position of the men was left unchanged; but that of the officers was very materially changed. A man was seldom punished for the first two offences, but then fines began; and he could be tried by court martial for subsequent offences, and heavy punishment could be inflicted. As to the officers, they were treated leniently for the first four or five offences; but now it was provided that they might be cashiered for being drunk whilst they were off duty; of course, on duty the punishments were different, amounting to death in some instances. Very severe Judges, seeing officers after dinner, might say they were unfit for this or that duty; and a man might in this way be cashiered. Such a system could not work. He did not believe there was more intoxication in the Army than in any other body in the Kingdom, and to give a commanding officer such arbitrary power as the Bill proposed would be a great disadvantage. In fact, it would enable him to cashier whoever he pleased, while, at the same time, he would be enabled to retain the services of those who were favourites of his, although their offences might be equally great. In nine times out of ten the power given might not be used, and the tenth time be put in force, and to the great disadvantage of one man. Therefore, he regarded the proposed innovation as being very dangerous. Under the old Act, an officer drunk off duty could be tried for conduct unbecoming a gentleman, and this guarantee was amply sufficient for his good behaviour. Then, again, the liberties of the soldier would be curtailed, owing to commanding officers being empowered to place localities out of bounds. The difficulty of working the Act would be much increased by the fact that half-pay officers would be brought under it; and, indeed, this would be treating them very unfairly. The present rules as to half-pay officers were sufficient for all purposes, and this power ought not to be increased. The acts of half-pay officers, when they were placed under the Mutiny Act, might often bring us into difficulties in connection with foreign Governments. In doing so, the Government would be undertaking a great responsibility. The present rule he regarded as being amply sufficient, which enabled a half-pay officer to be tried for offences committed when on full pay; and he deprecated the Government becoming responsible for a man's actions when he was on half-pay, as they now proposed to do. He might also observe that the Preamble of the Bill contained none of those precautions against a standing Army which were to be found in the old Act, and that Parliament was thus far invited to leave the Constitution in a worse position. In voting against the second reading of the Bill he should not oppose the Mutiny Act, and he was willing for the present to continue that now in force, although it was capable of amendment; but unless a promise were given that some of the defects of the Bill would be corrected he should oppose the second reading.

Mr. W. HOLMS remarked that if the Bill were carried as it now stood it would deter many men from entering the Volunteer Force; and he asked the House whether it was advisable to do anything which would tend to diminish the popularity of that branch of the Service? As the measure was at present framed the Volunteers would come under its various and sweeping provisions. Some of those provisions, however, were utterly inapplicable to our citizen soldiers. He therefore suggested the introduction of a saving clause to the effect that the provisions of the Bill should apply to the Volunteer Force only in case of their being called out in time of war.

General Sir GEORGE BALFOUR thought that, after making fair allowance for errors in details which occurred from a knowledge of technical matters in military duties, the hon. Member for Dundee (Mr. E. Jenkins) had shown that there were serious defects in the Army management, especially in respect to the abuses made of the Royal Prerogative and of Courts of Inquiry, instead of sending officers before courts martial, there to be tried on properly drawn charges, in accordance with military law. He (General Sir George Balfour) therefore endorsed generally the arguments by which the Amendment had been supported, while taking exception to some matters of detail. In connection with this subject, he could not avoid expressing the hope that some day or other they would have a Judge Advocate General who would take care that courts martial were properly conducted. He thought that the Army had great cause of complaint in reference to that Office. He did not refer to the present holder of the position; but there could be no doubt that the post was one which had been filled by most incompetent men—men who were not qualified to discharge the duties which they were called upon to perform. Had they had competent Judge Advocate Generals, they would long before this have had a proper Army Discipline Bill. Another point to which he desired to allude was the position of the Commander-in-Chief. His Royal Highness was simply a subordinate of the Secretary of State for War. His duties were at first, under the Letter of Service of 1856, signed by the Secretary of State, and by the Orders in Council of 1870, strictly in subordination to the Secretary of State, who was alone responsible for the proceedings of His Royal Highness, who had no right to interfere, except in respect to the duties laid down in the Orders in Council of 1870, and even then only in the manner and to the extent which the right hon. Gentleman permitted, and he ought not, therefore, to be held responsible in any form or shape. He did not like to hear blame imputed to the Commander-in-Chief in matters in which he had no independent power, and where the fault, when faults arose, rested with the Secretary of State for War; but the

Commander-in-Chief, while possessing many good qualities, appeared to be afraid of responsibility. However, in order to render the Commander-in-Chief really useful, they ought distinctly to define all his functions, and after fixing the executive duties intrusted to him, then to place upon him due responsibility. As for the Bill itself, a more confusing or confused one, more full of useless verbiage, and wretchedly drawn out he did not remember ever to have seen; it was badly arranged and full of repetitions, and the best thing to do with it, in his opinion, was to send it to a Select Committee for revision.

COLONEL STANLEY said, the criticisms which had been passed on the Bill were not of such a nature as to prevent the House from giving it a second reading. Before dealing with these numerous criticisms, which he trusted would not lead to a Division, he wished to say a word upon the question of responsibility in connection with the administration and government of the Army. A great deal had been said with regard to the position of the Commander-in-Chief, and the hon. and gallant Member who had last spoken accused His Royal Highness of being afraid of responsibility. Now, in this matter, as in many others, the illustrious Duke only showed his good sense and feeling. He did not assume a responsibility which he knew ought properly, and was by the Constitution supposed, to rest upon the shoulders of others. He, as an Officer of the Crown, performed his own responsible duties; but as for acts performed under the authority of the Prerogative, he knew that the Constitution had provided a responsible Minister in that House, whose conduct was always open to challenge, and who was there to defend himself. Coming to the Amendment of the hon. Member for Dundee (Mr. E. Jenkins), he found that that hon. Member was of opinion that no measure would be satisfactory which did not secure for every officer accused of a military offence an impartial trial by a military tribunal; and he presumed the hon. Member did not wish to limit his sympathy to officers only, but also to extend it to the men. In regard to this matter, he ventured to say that in all cases courts martial were so constituted as to form as fair and impartial a tribunal as could be found in the world. The rules for their selection were distinctly laid down in the Queen's Regulations, and it was provided that for this purpose, as in all other duties, the officers should be taken from the senior downwards; therefore, when a court martial was ordered to be assembled, the general officer not only never did, but was utterly unable to interfere in the selection. That might be held to prove that the constitution of the court was free from any suspicion of prejudice; but, in addition to this, the Bill preserved the most perfect right of challenge on the part of the accused which already existed, and also made it compulsory that the rules of procedure should be laid before Parliament. Turning next to the second part of the hon. Member's proposition, he was compelled to say, taking the words in their strict meaning, that in a great measure he agreed with him that a military officer accused of a military offence should be tried by a court martial and not by a Court of Inquiry. With regard to the Constitutional point raised, his hon. and learned Friend opposite (Sir William Harcourt) had so completely dealt with the question of the retention of an officer in the Service that it required no further discussion. It was plain, from the showing of his hon. and learned Friend, that unless the House was prepared to give an officer a statutory right in his commission, it would be impossible not to allow, in certain instances, the exercise of Prerogative to continue or dispense with his services. Now, as for the Courts of Inquiry, he had been asked to place rules for their regulation within the Bill; but that was a matter requiring consideration, from various points of view. If it were simply a question of these Courts being used for the particular purposes mentioned by hon. and gallant Members, then there would be a good deal to be said for the inclusion of rules to regulate them even within the limits of a Bill such as the present; but, on the other hand, the House would bear in mind that Courts of Inquiry embraced the widest range of subjects both in nature and importance, and though it might be perfectly proper with regard to the greater subjects sometimes brought before them, those rules might become entirely inapplicable to other cases which came before such tribunals. The subject, no doubt, deserved examination; but he would not lead the House to believe too confidently that the wishes of certain hon. Members could be carried into effect. Now, what was the nature of a Court of Inquiry? It was an assembly called together for the assistance of an officer, on whose authority it usually acted. Any action on his part might be perfectly well taken without the Court of Inquiry, the court being only a means of ascertaining facts, and not being designed either to relieve the officer of his responsibility, or for any other purpose. Another subject, on which more than one speaker had dwelt, was the extension of the powers of commanding officers; and although that extension had met with favour in some quarters, there were many hon. Gentlemen who thought that the excess of power would lead to its abuse, and that the process by which a commanding officer was enabled to act was far too summary. It was not a new question, or he would acknowledge the force of the criticism directed against it; but, in fact, when he introduced the Bill, he explained the motives with which he had inserted the clause conferring additional power. It chiefly came to this—that the commanding officer could now inflict a sentence of 21, instead of seven days' imprisonment. Now, it was not to be supposed by the opponents of the Bill that the punishment was merely increased for an offence usually visited with seven days' imprisonment; the extension of power was really intended to provide a speedier and quicker tribunal on many matters now brought before courts martial, and which in the very large majority of cases were merely matters of evidence, where the person accused acknowledged the offence with which he was charged. At present, a man had to remain at least 24 hours in the guardhouse before a court martial assembled. The Government thought a more prompt method of dealing with him would be satisfactory to the soldier, and, at the same time, better meet the ends of justice. But there was the further question, which had weighed with the Courts Martial Commission—namely, whether the frequency of courts martial did not tend to diminish the amount of dread which they had for the soldier, and detract from their proper weight in deterring him from crime. That was one of the grounds on which the extension had been proposed, and there were others which would be explained in Committee. Then, again, something had been said about the power which had been taken as to the reduction of non-commissioned officers, and he did not think that was a step which there would be any reason to regret. We knew that in this country, as in all other countries, owing principally to short service and partly to other causes, it was becoming more difficult to obtain and to retain good non-commissioned officers. It had been frequently urged, he thought by the hon. and gallant Member for Galway (Major Nolan), and by others, that hardship was done to the individual, and loss inflicted upon the country, by the fact that non-commissioned officers, if guilty of any offence, could only be dealt with in one way. The commanding officer could either pass over the offence with a mere admonition, or he could send him to a court martial, which was the only punishment that could be awarded; and if the court martial found him guilty—which was almost certain to be the case—no sentence could be given short of reduction to the ranks. Well, though it was quite true that the Government had given the commanding officer the power of reducing a non-commissioned officer to the ranks, they had also introduced a new rule by which the punishment might be mitigated. There were many cases in which the good service and good conduct of a man should be recognized when dealing with him in respect of an offence; and it was proposed that, in such a case, a man should be reduced only one grade in the scale of the non-commissioned rank. The hon. and gallant Gentleman the Member for Kincardine (General Sir George Balfour) had spoken just now of a case of arbitrary dismissal from which there was no appeal; but this Bill provided an appeal, and such a case of hardship as the hon. and gallant Gentleman spoke of could not occur under this Bill. He now came to a subject on which he felt considerable difficulty—namely, that of bringing half-pay officers under the provisions of this Bill. He was quite aware what the feeling always had been and what the feeling now was with regard to that matter. It would be for the House to bear in mind the position in which the Government were placed with respect to those officers. The House would remember that there was now a fresh class of officers growing up under the plan for the promotion and retirement of officers. There were officers who left the Army under a liability to serve again, and who might at any time be recalled to the Colours. The argument he ventured to put before the House was this—that while they might be anxious to diminish individual freedom as little as possible, yet there were on the other hand, obligations resting on those officers which ought to be matter of regard between themselves and the State, and that it was well that the State should in some manner have power to deal with such officers in case of grave misconduct, so that authority should not be weakened when they were recalled to the Colours. It might be said that they could be now dealt with under the powers vested in the Secretary of State, and that in the case of any gross misconduct a recommendation might be made that the name of an officer should be removed from the Army List; but this power had always been viewed as a very extreme one, and therefore he had felt it his duty to place the Bill before Parliament in its present form. He could not agree with the hon. and gallant Gentleman the Member for Leitrim (Major O'Beirne) in thinking that the fact of an officer having been mixed up in some scandal was no sufficient reason for getting rid of him, for surely such a fact was in the interest of the honour of the Army a quite sufficient reason for causing the officer implicated to be removed from the Army. The present was the first occasion on which he had heard that the Government had interfered with the election prospects of the hon. and gallant Gentleman. As far as he remembered the facts, the hon. and gallant Gentleman, when he wished for leave in order to contest the seat he now held, failed to send his application to the proper quarter, and when the fact became known instructions were sent by the Government that matters should be made as easy as possible. As for the question of recruiting, it was one which might better be dealt with when the Bill went into Committee. There had often been an accusation that recruiting was principally carried out by traps laid by the recruiting sergeant. The Government, in order to put an end to that, now proposed that the enlistment should be before a civil magistrate, and had extended the time during which the recruit could leave the Service. If, within the first three months, he wished to be rid of his bargain, the State had no wish to hold him to it on the repayment of the expenses which he had caused the country. These were matters not so much of principle as of detail. As far as the penalties which should fall upon officers guilty of offences were concerned, he could not see why there should be any difference between members of purchase and non-purchase corps, the offences being the same. In reference to the question as to the Volunteers raised by the hon. Member for Wenlock (Mr. A. H. Brown), he saw no reason why Volunteers, when serving with the Regular troops and performing similar duties, should not be similarly treated as far as discipline was concerned. It seemed to him altogether beside the question to argue what the particular status of a man might be when he was not performing these duties. If a man going along a railway tampered with the signals, his position would have nothing to do with the punishment to which he would have rendered himself liable. It must be borne in mind that Volunteers were no longer playing at soldiers; they performed the same duties as Regular soldiers, and that week some of the large guns at the forts on the Thames would be worked by Volunteers quartered there exactly as they would be by Regular Artillerymen. No complaint had been made on the part of the Volunteers that the powers to be taken under this Bill were too severe, and many Volunteer officers gave evidence before the Committee, on which, also, the Volunteer element was largely represented. The Committee recommended that the power of resigning on 14 days' notice should not operate to prevent a man being tried for an offence with which he was charged before the notice was given. It was necessary, when large armed Forces were collected, that there should be greater control than was necessary at other times over the individual. Threats had been made against officers, and though of late years they had been less frequent, the liability to them could not be lost sight of, and discipline must be preserved. He did not think the Volunteers objected to the proposed restraints, or wished for the same freedom of language when they were performing military duty which they enjoyed as civilians. He had only one other criticism to answer. It had been said that the Bill had not been referred to the Select Committee. So far as the Government were concerned, no doubt it might have been a great convenience, if it had been practicable, to have referred the Bill to a Committee, and obtained its *imprimatur*, as was done with part of the subject last year. But the previous Secretary of State had given a distinct pledge to this House that the Mutiny Act should not be brought before the House again in its present form, if it were possible; and, accordingly, he had felt it his duty to endeavour to fulfil that pledge and lay this Bill before the House as soon as he could. They could deal, therefore, with only one part of the subject—the Army discipline. If the Committee had assembled this year, it would have saved much trouble to have sent the remaining portion of the Bill to them also. That had not been possible, and not a single day had been lost in the preparation of this Bill. No doubt there were repetitions in the Bill, and they might have been avoided by bringing in a Bill of two or three clauses and saying the Crown should have power to make Articles of War; but that would not have been carrying out the intention of Parliament that the law should be consolidated, that punishments should be classified, and that different punishments should be awarded for offences committed on active service. But the Articles of War and the clauses of the Mutiny Act could not, in the view of those whose able services he must acknowledge, be embodied in a code of lesser dimensions than this Bill, which, with the assistance he hoped to derive in Committee, would, he trusted, be passed into law. He would say, in conclusion, that the Bill had been very carefully prepared; and although far from claiming that it was in any way perfect or incapable of amendment, he believed it would be found to be a very material improvement of the present law, and what it originally purported to be—a consolidation of the existing law with such improvements as the circumstances of the case seemed to render necessary and desirable. He hoped that the second reading would now be agreed to without further debate.

Mr. HOPWOOD said, it was not his intention to make many observations; but he wished to say one word with reference to the Volunteer Force. It did appear to him, speaking as a civilian of long standing in the ranks of the Volunteer Force, to be important to note that they were a body of men controlled by moral suasion, whereas in the Army it was nothing of the kind. If he might venture to say so, he thought it would be better for officers in the Army if they received their training first as Volunteer officers, for then they would find out that men could be controlled without intimidation, or the imminence of pains and penalties if they disobeyed. With reference to the Committee upon the Volunteer Force, he did not think that the Volunteers generally were sufficiently represented upon it. No doubt, the names of the Committee were those of eminent men—there were one or two colonels of Volunteers—but all were, in one way or another, officials. Every one of them was an officer in the Army, and came to the Committee with military ideas of discipline, and determined to introduce that discipline into the Volunteer Force. Volunteers could not be made into soldiers, as they were frequently informed by their military Friends; who, yet, with some degree of patronage, condescended to receive their services in the field. The fact should not be lost sight of that Volunteers could not be brought under the strict and severe discipline of military life. If it were made known that a man, through zeal as a Volunteer, prompting him to go to Shoeburyness, or other places, and to undertake work along with the Regulars, might make himself liable to imprisonment, it would be a great surprise to many Volunteers. He ventured to say that, unless Volunteers were on actual military service, they should not be put in the position of becoming liable to 50 lashes through a breach of some trifling regulation.

Colonel STANLEY said, that the hon. and learned Member was not correctly describing the effect of the Bill.

Mr. HOPWOOD would take it as sufficient for his purpose that a Volunteer might, under certain circumstances, find himself liable to two years' imprisonment. He went down to do his duty and to amuse himself; and for some not quite exact performance of his duty, for some loss of temper, or something of the kind, he might find himself court-martialled and sentenced to undergo three months' imprisonment, or a longer term. It was nonsense to say that officers of Volunteers informed their men of the risks they ran in undertaking the Service. He would ask—Was it desirable to maintain the Volunteers? If they were to believe the testimony from certain high quarters, it was most desirable. It was said—"Here is England's gallant Army of Reserves," and the toast was publicly *fêted* at dinners; and then the House gave a substantial provision for the maintenance of the Force. Supposing a case such as he had indicated occurred, he thought his right hon. and gallant Friend was perfectly correct in saying that it would not happen, and he hoped it would not be dared, in any single instance of a man's going down for a fortnight's holiday, to inflict three months' imprisonment upon him. But still, if it were done, the man would be ruined for life. He might be a labourer from Lancashire, and might have taken the opportunity of his holiday to serve with the Volunteer Force; and yet he was to be treated in this manner, and punished in a way which would be his ruin. In his opinion, this was another illustration of the way in which military matters were treated generally. Though he spoke as a civilian—and he knew this was a complicated subject—yet he might say there were absurdities of the most flagrant description in the present, as there were in the old, Mutiny Act. When looked at by military eyes the faults were not seen; but when handed to civilians attention was drawn to these matters, and he now ventured to point out to the Government that that boasted discipline which he had heard spoken of in military matters was not quite so good a thing as it was made to appear. In some cases it was talked of controlling others where men were not able to control themselves. It was now suggested that half-pay officers should be controlled and tried by courts martial. But he would remind the House that there were other Professions that did not need the same violent inducements to a good behaviour of its members. This plan with regard to the Volunteers should be well considered before jeopardizing what was a very powerful Force, and what was at present a popular Force. He believed that, by the proposal of the Bill, both the popularity of the Force and its numbers would be greatly reduced.

MR. E. JENKINS wished to explain, with regard to the appeal to him of the right hon. and gallant Gentleman the Secretary of State for War not to divide the House upon this question, that he should be very anxious to accede to his wish; but seeing that this was not the usual annual Mutiny Bill, but was intended as a permanent measure, he must take this opportunity of protesting against it.

Question put.

The House *divided*:—Ayes 138; Noes 32: Majority 106.—(Div. List, No. 63.)

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* 21st April.

VACCINATION ACTS (IRELAND) AMENDMENT BILL.

(*Mr. James Lowther, Mr. Attorney General for Ireland.*)

[BILL 90.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), in moving that the Bill be now read a second time, said, he hoped the House would pass the Bill, which was a very short one. Its object was only to extend the operation of the Acts now in force in England into Ireland. He believed that it met with the concurrence of most hon. Members from Ireland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General for Ireland.*)

MR. HOPWOOD, in moving that the Bill be read a second time that day six months, said, he did not think that this Bill solely concerned hon. Members from Ireland. When measures applying only to England were before the House, Irish Members interested themselves in them on the ground that they were of Imperial concern, and might affect Ireland. For that reason, he ventured to interfere in a matter affecting Ireland alone, for this was part of a wider question—a much wider question. It involved the right to oppress a man, to compel a man by a series of convictions to do that which he honestly thought was dangerous to the health of his child. He did not despair of one day getting the ear of the people, who seemed to be at present possessed by the professional view of this subject; for now, when any alteration was suggested in the subject of vaccination, it was considered to be an offence against the whole profession and science of medicine, and everyone that raised the question was treated as a madman for casting doubt upon the subject. The House would remember that some years since, during the time that the late Government were in power, the question of vaccination was raised, and a Committee of this House sat upon the subject. That Committee consisted of 17 Members, and it made an unanimous Report to the effect that the law ought to be that no man should be oppressed by more than two convictions. That was accepted by this House, and the Bill went in that form to the other House. There, if his memory served him, within a day or two of the end of the Session, nine noble Lords overruled eight noble Lords in striking out the provision that was inserted in compliance with the wishes of the Select Committee. The Bill came back to this House with that portion erased from it; and the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) deplored the action taken by the House of Lords in striking out the provision, but felt himself compelled to advise the House to accept the Bill in its amended shape. But he said that it would be his duty, or the duty of someone else in his place, to attempt to amend the law in time to come. That law had never been amended, notwithstanding that there was an unanimous Report of the Committee of this House, and that the evidence given before that Committee showed that the present state of the law was an intolerable cruelty, and that it was an abominable thing that the Legislature should allow ignorant persons to have conviction after conviction heaped upon them because they held the view that it was best for the children's sake that they should not be vaccinated. In one case that he knew of, a man had been 40 times convicted. In another case, that of Abel, of Faringdon, the convictions were 25 or 26 in number, and the man was fined at different times £37. In that case, because he could be fined no more than £1 as a single penalty, the magistrates had gone the length of encouraging the solicitor to charge an additional guinea for costs in proceedings to which there was no defence and no necessity for his employment. To escape unpleasant reflections, the money had been paid over to some local infirmary or other; but the unfortunate man, Abel, was compelled to pay it, and was prosecuted from time to time in the manner he had described. Another man, whose name he did not for the moment remember, had been several times imprisoned. Yet that sort of thing went on in the name of society, crushing down men by this law, years after the House of Commons had sanctioned an alteration in it. Then, upon the general question, were not parents warranted by what had occurred in refusing to have their children vaccinated? He would maintain that there was conclusive evidence that that was so, and he had moved for some Returns which the Local Government Board had furnished last year of the number of deaths from 15 different diseases of adults and infants, which showed a considerable increase in the deaths of infants under one year, that being the age during which they were usually vaccinated. It showed a considerable increase during those periods, and since the period when the first Vaccination Act came in, and when it was made compulsory. He could also show that these deaths resulted from such causes as were likely to be innoculated, and, as some high medical authorities stated, they were innoculated by vaccination. They were such maladies as erysipelas and syphilis. He thought that anyone who could deny the right of a man to refuse to have the veins of his children poisoned must be deaf to the ordinary considerations of human life. For many years it was denied that vaccination could communicate those diseases; but now there was a body of evidence from all sides which conclusively proved that vaccination produced those diseases in children. For a long time it was contended that there was no such thing as innoculation of another disease by vaccination; but it had been done repeatedly, and anyone reading the evidence given before the Committee would see that on very high authority it was said that it was possible to innoculate with a disease by means of vaccination. Even before that Committee, at first, some advocates of vaccination denied that those diseases could be so produced; but when Mr. Jonathan Hutchinson, one of the highest authorities on these matters, gave it as his opinion that it could take place, they were compelled to admit it. He stated that he knew a family of 11 all innoculated with the truly awful disease of syphilis, and he has since communicated other cases of a like kind. Yet it was said that the parent had no right to say—"I will not let my child run this risk." It seemed to him that the refusal of parents to have their children's veins poisoned was an imitation of the sturdy feeling which our forefathers had exhibited in matters of religious government. There were some things which transcended the powers of Government, and it was impossible to go on forcing men to have their children's veins filled with poisoned matter that had been fermented from generation to generation for 70 years since the days of Jenner. The last child vaccinated might be healthy enough; but what security was there that some of the persons from whose veins the matter had been taken during the 70 years had not those diseases? Might it not well be that when parents came to see these results of vaccination they might doubt its benefits? He would point out that if the law were left undisturbed, and persons continued to be prosecuted by the law for objecting to have the process performed on their children, which they rightly or wrongly believed to be injurious to them, the result would be in the end fatal to the whole system. Recently some very high authorities had spoken on this matter. Many hon. Members might have read a paper by Sir Thomas Watson in a recent magazine, in which he stated that disease had been imported, and might be imported, by means of vaccination. It was, however, to be observed that there were many surgeons who returned deaths as arising from erysipelas, or other diseases, when they really occurred in consequence of vaccination. If a man met with an injury, and erysipelas or some other disease hastened his end, it would not be thought right to say that erysipelas caused his death, but rather that the injury did. The fact was that surgeons did not like to tell the truth; they did not think it well to condemn the system. But was it right, under these circumstances, to go on forcing reluctant parents, by cruel fine and imprisonment, to do what they considered their highest duty to their children compelled them to avoid? It seemed to him that anyone who looked into the compulsory system that had been set up, and considered it, must be led to look further into the evidence upon which it was supported, and would inevitably come to the conclusion that there was very grave reason indeed to doubt the whole system. It was right and proper that everyone should have the courage of his convictions, and that they should be uttered in that place. For his own part, he could only say that he had no faith in the system. A gentleman had recently asked him whether he doubted these matters, for that in his time he remembered having seen great numbers of people frightfully pitted with small-pox, and that that did not occur now. In reply, he asked that gentleman whether, at the time when innoculation prevailed, the disease itself, the small-pox, was not given, often with the consequences of pitting and scarring; and whether, from the early part of this century, there had not been a considerable difference in the mode of treatment? It was well known that a process had been introduced by which it was possible to avoid producing these marks upon the patient. If medical gentlemen would have the candour to admit it, they would say that it was entirely the case. An authority who had studied the matter said that this disease was engendered frequently by want of sanitary precaution. The disease had, in the past, like the plague, arisen from neglect of sanitary precautions. That had been proved, and although they had spent £100,000,000 upon sanitary precautions, and had vaccinated the population up to 95 per cent, yet not so long since an epidemic occurred that carried off its thousands in London. Before the Committee to which he had referred it was asserted by some eminent surgeons that in Scotland they had stamped out small-pox by vaccination; yet since that there had been a most serious epidemic of small-pox in Scotland. In Ireland they asserted the same thing, and said that they believed that if the population were entirely vaccinated a perfect immunity from small-pox would be secured. Since that time Ireland had been visited with a terrible epidemic of the scourge. The conclusion he came to under these circumstances was that vaccination was not so certain, and that the system was not so perfect as it was described. It was Jenner's boast that a perfect freedom from small-pox was secured by vaccination; but there were one or two Members of that House even now, or until recently, who were vaccinated by Jenner, and who afterwards had small-pox. That was now explained away by saying that it must be renewed; that it did not take effect; or by one of the many suggestions that men were driven to when found out in any scientific error. Vaccination had been thoroughly carried out in London; yet, every now and then, there was a serious epidemic. If the statistics were examined, it would be found that a pretence was made that every man who died from small-pox was un-vaccinated. That was a most monstrous statement, and contrary to what was known to be the fact. People were vaccinated over and over again, and it was clear that vaccination was not so certain as it was once said to be. To return to the proposition with which he had started, why should a father be prosecuted because he thought that what his children were made to undergo poisoned their whole blood and system, and might import into them one of the most loathsome of diseases? Supposing they succeeded in obtaining what they called pure lymph, even then it was really no protection against disease, for, although the lymph might have been taken from a healthy child, it might have been previously derived from a diseased subject. He asked the Government not to import into Ireland by means of this Bill these compulsory provisions. In doing so, the Government would be acting in accordance with the views of the Select Committee, to the effect that no man should be prosecuted more than twice for such an offence as this. By prosecuting for non-vaccination, he believed that people were made less likely to have their children vaccinated than if they were not under compulsion. He moved that the Bill be read a second time that day six months.

Mr. P. A. TAYLOR seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hopwood.*)

Question proposed, "That the word 'now' stand part part of the Question."

Mr. MELDON thought that, from the speech of the hon. and learned Member, it might be supposed that compulsory vaccination and accumulative penalties were provided for in this measure. The object of the Bill was only to facilitate vaccination in Ireland, and for nothing else. At the outset of his observations he would call attention to the fact that, by the exercise of the existing Vaccination Acts, surgeons had been unable properly to carry out vaccination. The only thing complained of was the question of innoculation. In some parts of the country people were satisfied with innoculation as a preventative against the small-pox, and had to be instructed as to the necessity of vaccination. As to vaccination being objected to in Ireland, there was no ground for that statement. The utmost efforts of the Anti-Vaccination League had not been able to raise any public opinion in that country. The arguments of the hon. and learned Member were not, in his opinion, applicable to the point before the House — namely, whether the Acts for England should be applied to Ireland in those respects in which, at present, they had no operation? As regarded compulsory vaccination, it was the law in England, as well as in Ireland. But the difficulty had arisen in practice in Ireland that surgeons could not get proper lymph for the purpose of vaccination. When children had been taken by their parents to be vaccinated, there was a feeling that there was no necessity for bringing them back again for the doctor to see whether the operation had been successful. That was the second point the Bill was intended to meet. It provided that the doctor should be at liberty to take lymph from the arms of a child, and that the child should be brought back to obtain the proper certificate of vaccination. Those were the two broad provisions of the Bill. There was a third provision, which was with respect to the payment of doctors for vaccination. The House would probably be astonished to learn that the present fee for successful vaccination in Ireland was 1*s*., and sometimes a doctor had to go seven or eight miles to perform the operation he had to make, and he had to write a certificate and three or four entries, and to call three or four times to see the child. For 1*s*. to be the remuneration for that trouble was absurd; and it was the proposal of the Bill to make the fee the same as in England, where it was 2*s*. 6*d*. He might say that the Irish Representatives, generally, were in favour of the Bill, and the popular feeling in Ireland was also decidedly in favour of vaccination. He did not think that the Anti-Vaccination League would be able to find one single person to come forward to prove the statements they had made, or to say that there was any opposition to vaccination in Ireland.

MR. ARCHDALE thought the Bill was one which ought to meet with the approval of the House; for, as he understood the hon. and learned Member for Kildare (Mr. Meldon), its principal provision was to give proper remuneration to medical men for public vaccination.

MR. MITCHELL HENRY supported the second reading of the Bill chiefly upon the ground that there was no prejudice in Ireland against it. If Irish people took a view against vaccination, it would be impossible, in the circumstances, to deal with small-pox throughout the Kingdom; and he therefore thought there was reason for congratulation that in Ireland there was no prejudice against it. During the small-pox epidemic which had recently occurred in Ireland, and which had resulted principally from the want of proper lymph in the Western portion of Ireland, one of the most neglected parts of Her Majesty's Dominions, people flocked from all parts to be vaccinated, and showed an enthusiasm in favour of vaccination to an extraordinary degree. [*A laugh.*] Hon. Members might smile; but if an epidemic of small-pox were to occur in this Metropolis, his hon. Friends would find it no laughing matter. He repeated, that the epidemic in the West of Ireland was stamped out entirely from the enthusiasm of the people in favour of vaccination.

MR. P. A. TAYLOR: I am very sorry, Sir, to be obliged to trouble the House with any remarks at this late hour of the evening; but I must remind the House that it is not my fault that I have to do so, but rather the fault of the Government in bringing on a Bill of this importance at the present hour. I will not, however, detain the House for more than a few moments. There appears to me to be a little confusion in the minds of hon. Members on this subject, for they are mixing up in this debate the question of the excellence of vaccination with the question of the desirability of making vaccination compulsory, which is an entirely different matter. For my part, I have no opinion to express at the present moment as to the excellence of vaccination, and the House would not care to listen to me if I ventured to express any opinion on that subject at the present time. I will only, therefore, say that I was a Member of the Committee of 1871 which considered the subject of vaccination. Since that time my attention has been directed to the subject, in consequence of what I believe to be the injustice and impropriety of compulsory vaccination; and from the statistics and other information which I have since that time been able to obtain, my opinion has been so far modified with regard to vaccination that I could not now put my name to the Report of the Committee, which at the time was unanimously agreed to. The objection I have is to compulsory vaccination. My hon. Friends round me, and my hon. Friend the Member for the County of Galway (Mr. Mitchell Henry), boast of the enthusiastic adherence of the Irish people to vaccination. The obvious answer to that boast seems to me to be that if they so willingly accept it there is no need for pressing upon them this terrible compulsion—for terrible it is to those who object to it. In my opinion, every element which could justify the compulsory enforcement of vaccination, and could justify the State in standing between parents and the health of their children, is wanting in the present condition of the science and the statistics of vaccination. At one time and another there has been a good deal of opinion expressed in this House as to the views of the Anti-Vaccination Party, and much expression of disgust at their views, and repudiation of their conduct, in opposing the vaccination of their children. They had been talked of as prejudiced fools, as traders in disease, and as mere obstinate, wrong-headed persons standing between the self-evident good and advantage of their children, and the benevolence of the State. Perhaps I may be allowed to say that that seems to me to be an altogether wrong way of putting it. We cannot express the general opinion on the question of vaccination without taking into consideration what is undoubtedly the fact—that there does exist in the country a great amount of honest opposition to the principle of vaccination. I have seen dozens and scores of persons who tell me that they honestly believe that their children had died from vaccination, and who had told me all that happened with every circumstance and detail. They have told me how they took perfectly healthy children to be vaccinated, how an incision was made in the arm, how in the course of a few days a sore appeared there, how it spread on the arm, and from thence all over the body, and how, finally, the children died in agony. Now, they are wrong in their opinions, if you please; but they would be utterly heartless and unfeeling if, holding the opinion that vaccination is dangerous, they were to suffer their children to undergo vaccination. I maintain that all the elements justifying compulsion on the part of the State are wanting in this instance of vaccination. In the first place, there is not that certainty in the results which was boasted of by Jenner, and believed in as the fact at that time. During his life-time vaccination was believed to be an absolute preventive of small-pox. It was said that children who had been vaccinated were subsequently innoculated, or attempted to be innoculated, with small-pox, and that the attempt entirely failed, thus proving the excellence of vaccination. But if that was true then, it is most clearly not true now, for whenever there is an epidemic of small-pox scores and hundreds of children die of small-pox, and are acknowledged to have died of small-pox, who had previously been vaccinated. It must be remembered also that the figures put before us by the Government are utterly unreliable; unreliable partly because it is acknowledged by medical men to be impossible when children have died of small-pox to tell afterwards whether they have been vaccinated or not, and unreliable also because it is a principle with medical men not to return children who have died from the effects of vaccination as having so died. It has been stated by medical men that they do not like to cast a slur upon the system; and, therefore, they do not return deaths by vaccination, even where they do occur. There was a case at Leeds the other day, where the child died from vaccination, and the surgeon inserted that as the cause of death in his certificate. But the coroner, who was also a medical man, was one of those who do not like to cast a slur upon the system, and opposed that course. He said vaccination was not a death known to the law, and accordingly the child was returned as having died from another cause. In fact, the poor child had committed a legal offence in venturing to die under such circumstances. Then, again, since vaccination has been made absolutely compulsory in this country, deaths of small-pox have actually increased. Actually, since the year 1853, or whatever the year was that vaccination was made compulsory, there had been an increase in the percentage of deaths Then there is Germany, the best vaccinated country in the world. There the deaths from small-pox in the last epidemic were something frightful. All these are ample evidences to show that there is ground for the presumption and for the doubt whether it is wise to vaccinate their children. Far more than this, it is no longer held that it is absolutely safe to vaccinate children, as was stated to us when the Committee sat in 1871. During the first part of the time that the Committee sat the doctors who were called before us declared it to be impossible that syphilis and other diseases could be communicated by innoculation; while it was actually proved to demonstration, before we finished our sittings, that 13 cases of syphilis had arisen from one case of vaccination alone. Indeed, that fact is now notorious all over Europe. Not so very long ago, that famous physician, Dr. Ricord, declared that if it could be shown in any one case that syphilis was the result of vaccination, vaccination must cease to be practised, because it would be perfectly impossible to make sure that the child from whom the lymph was taken was safe. I do not think it is going too far to say that where there is risk on the one hand, and this chance of syphilis and other horrible diseases on the other, that it is abominable tyranny for the State to step in, to stand between the parent and the child, and to say that the child shall incur the risk of syphilis rather than incur the risk of catching small-pox. Then, at the very least, the State is in this dilemma. Either vaccination is a certain prophylatic, and then you do not need compulsion, because those only run a risk who neglect the operation; or it is not at all certain, and then you have no right to enforce it on parents. But the real fact is, you do not enforce it in the only real direct way. You do not dare to enforce it. The only thorough way to enforce this compulsion is for the State to take the child out of its mother's arms and vaccinate it. You do not dare to do that; and you further only oppress the very poor, who have no power to resist your tyranny. People in the middle classes who object to compulsory vaccination are not summoned, and there are actually hon. Members in this House who avoid the law, who do not have their children vaccinated, and yet are not punished. Therefore, the law ceases to become something enacted for the protection of society at large, and degenerates instead into merely a piece of class legislation. Finally, if vaccination were the finest and safest thing in the world, your attempt to spread it by compulsion is an enormously mistaken policy; because you are setting against you numbers of people whose views may be only based on prejudice, but whose prejudices are intensified at the distinctions which you most unjustly make.

Major NOLAN said, he would support the Bill most heartily, for when an outbreak of small-pox occurred in Ireland it was found that it was much more severe among those who had not been vaccinated than among those who had. The feeling in Ireland was, without exception, in favour of vaccination, and the people even came by hundreds and thousands to be re-vaccinated.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* 21st April.

MOTIONS.

POOR LAW (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill for the further Amendment of the Laws relating to the Relief of the Poor in Scotland, and for the establishment of an efficient audit of the accounts of Parochial Boards and School Boards in Scotland, *ordered* to be brought in by The Lord Advocate and Mr. Secretary Cross.

Bill *presented,* and read the first time. [Bill 122.]

NOXIOUS GASES BILL.

On Motion of Mr. Sclater-Booth, Bill to provide for the more effectual condensation of noxious and offensive Gases in Alkali and other Works, *ordered* to be brought in by Mr. Sclater-Booth, Viscount Sandon, Sir Henry Selwin-Ibbetson, and Mr. Salt.

Bill *presented,* and read the first time. [Bill 123.]

LICENSING ACTS AMENDMENT (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Acts relating to the granting of Certificates for the Sale of Excisable Liquors in Scotland.

Resolution *reported :* — Bill *ordered* to be brought in by Mr. Mark Stewart, Sir George Douglas, Dr. Cameron, and Sir Graham Montgomery.

Bill *presented,* and read the first time. [Bill 124.]

ADJOURNMENT.

Resolved, That this House will, at the rising of the House this day, adjourn till Thursday the 17th day of this instant April.—(*Mr. Chancellor of the Exchequer.*)

House adjourned at a quarter after One o'clock, till Thursday 17th April.

HOUSE OF COMMONS,

Thursday, 17*th April,* 1879.

MINUTES.]—New Writ Issued—*For* Cumberland County (Eastern Division), *v.* the Hon. Charles Wentworth George Howard, deceased.

Supply — *considered in Committee*—Civil Service Estimates, Class I., Vote 1, £29,540, Royal Palaces—r.p.

Public Bills—*Resolution in Committee— Ordered —First Reading*—Pier and Harbour Orders Confirmation (No. 2) * [125].

Second Reading — Land Drainage Provisional Order (Bispham, &c.) * [104]; Licensing Laws Amendment [25], *debate adjourned.*

Committee — Report — General Police and Improvement (Scotland) Provisional Order (Inverness) * [112]; General Police and Improvement (Scotland) Provisional Order (Paisley) * [110]; Blind and Deaf-Mute Children (Education) [93].

QUESTIONS.

POST OFFICE—BOOK POST RATES—TRANSMISSION OF CIRCULARS.

QUESTION.

Mr. LYON PLAYFAIR asked the Postmaster General, Whether he is aware that the United States Congress has passed an Act to transmit circulars by the papyrograph, and other means of taking numerous impressions, as printed matter; and, whether the restrictions which the English Post Office are in future to place upon the transmission of such circulars have been determined upon from a legal construction of what is printed matter or with a view of improving Post Office revenue?

Lord JOHN MANNERS, in reply, said, he was aware that the United States Congress had passed the Act referred to. As to the restrictions which the English Post Office were in future to place upon the transmission of such circulars, those restrictions had been determined upon from a legal construction of what was printed matter. The decision had been come to in consequence of an opinion obtained from the Law Officers of the Crown, not with the view of improving Post Office revenue, but of preventing ulterior loss. The Order, however, would not be put in force on the 1st of May next, and the whole subject was meanwhile undergoing further consideration.

SUBMARINE TELEGRAPH COMPANIES.

QUESTION.

Mr. RYLANDS asked the Secretary to the Treasury, If he will lay upon the Table of the House Copy of any Correspondence which may have taken place between the Lords of the Treasury, the Postmaster General, and the Comptroller and Auditor General, with reference to outstanding claims against Submarine Telegraph Companies?

Sir HENRY SELWIN-IBBETSON, in reply, said, he could not produce the Correspondence in question. A number of the contracts were still under discussion, or were about to be discussed, and it would not be for the interest of the Public Service that the Correspondence—which necessarily entered into details—should be laid upon the Table before the contracts themselves were made public.

AFGHANISTAN—THE WAR—ADVANCE ON CABUL.—QUESTION.

Mr. FAWCETT: I beg to ask Mr. Chancellor of the Exchequer a Question, of which I have given him private Notice. I wish to know, Whether it is true, as reported by a Reuter's telegram, printed, I think, in all the journals this morning, that General Maude's division has received orders to advance; whether the division is to go to Cabul; whether such an order has been given by the Home authorities; and, if so, what are the reasons for taking such a step?

The CHANCELLOR of the EXCHEQUER: Sir, no such order was given by the Home authorities. Neither have we received any communication on the subject, nor have we any reason to believe there is any truth in the report.

PRIVILEGE—THE CLARE WRIT.

OBSERVATIONS. QUESTION.

Lord ROBERT MONTAGU said, he desired to raise a question affecting the Privileges of the House. On the last day of the Sitting, before the Easter Recess, there was a Motion down in the name of the Secretary of State for the Home Department regarding the Clare Writ; but the right hon. Gentleman was in no great hurry to bring it on, and he postponed it until to-morrow (Friday). The House having adjourned, he (Lord Robert Montagu) was surprised to find from the Order Book that the consideration of the Report of the Select Committee was put down before Supply, and as the first Order of the Day. Many years ago it was the custom to move the adjournment of the House, and on that Motion Members brought forward grievances. The practice was found inconvenient, because it involved a Member rising at the end of a debate and speaking upon a number of questions. A Committee was therefore appointed, and the result was, it was determined that Supply should take the place of the Motion to adjourn, that Supply should be put down as the first Order on Fridays, and that Members should move Amendments to the Motion that Mr. Speaker do leave the Chair. In the course of the debate it was prophesied that in a few years the Government would try to take away the rights of private Members by putting down their Orders before Supply, and pledges were therefore given by Mr. Disraeli and Lord Palmerston, each on behalf of his Party, that Supply should always be the first Order of the Day. From that day it had been the first Order; but now the rule or understanding was departed from. It could not be said in excuse that the matter was one of Privilege, for the issue of a Writ did not come within the definition of Privilege given by the best authority on the question, Sir Erskine May, who said, in one of the editions of his book on the Rules and Practice of Parliament, at page 265—

> "Questions of privilege and other matters suddenly arising may be considered without previous notice; and the former take precedence, not only of other motions, but of all orders of the day. But, in order to entitle a question of privilege to precedence, it must refer to some matter which has recently arisen, which directly concerns the privileges of the House, and calls for its present interposition. . . . Such priority is conceded on the assumption that the earliest opportunity has been taken for bringing such a question before the House which precludes previous notice; and that the dignity of the House demands its immediate consideration. . . . As precedence is naturally desired by members, care is taken not to extend that claim to any motion which does not strictly relate to a matter of privilege."—[*May's Parliamentary Practice*, 7th ed. p. 265.]

Neither did the case come within the category of questions of Privilege at page 82, which were—1, Disobedience to Orders or Rules of the House; 2, indignities to the character of Parliament; 3, insults to Members or reflections upon their character; and 4, in interference with the officers of the House in the discharge of their duty. In these circumstances, he would ask Mr. Speaker to declare his opinion, Whether the Order in question could take precedence of Supply on Friday or any other night?

MR. SPEAKER: The Question of the noble Lord raises this point—Whether the consideration of the Report of the Committee with reference to the issue of the Writ for Clare is to be treated as a matter of Privilege or not? Upon the best consideration I can give to the matter, it appears to me it ought to be so treated, and as such it will necessarily take the first place on the Orders of the Day. I find, upon a former occasion, in 1839, when a Committee was appointed with reference to the question of the issue of a Writ for the borough of Southwark, the Committee made a Report containing Resolutions to the effect that the seat was vacant, whereupon the House at once considered these Resolutions and agreed to them, and the Writ was moved for at once. That course, in this instance, was not taken; but the House thought proper to postpone to a future day the consideration of the Report of the Committee, which, however, does not affect the main point, and I am of opinion that whenever the Report is considered by the House it may be properly treated as a question of Privilege, as affecting the seat of a Member of this House.

THE "TICHBORNE DEMONSTRATION."

QUESTION.

DR. KENEALY: I wish to ask the Secretary of State for the Home Department, Whether his attention has been called to the resolutions passed at a great meeting held on Monday last in Hyde Park with reference to the Tichborne Claimant, at present confined at Portland, that he was not Arthur Orton; and whether, taking into consideration that the large majority of the people of this country are in favour of that theory, he will cause an inquiry to be made on his subject, which has now been agitating the country for more than five years?

MR. ASSHETON CROSS: I suppose, Sir, that I, in common with other hon. Members, first heard of the report of the meeting referred to in the papers of Tuesday; but I have no official communication of the resolutions passed at that meeting. All I can say is, that it is not my intention to issue any further inquiry about the person referred to.

PARLIAMENT—ORDER OF BUSINESS.

QUESTION.

In reply to Mr. GOSCHEN,

THE CHANCELLOR OF THE EXCHEQUER stated that he proposed to take Supply as the first Order of Business on Monday next, and that later in the evening he proposed to bring in a Bill with regard to Joint Stock Companies and Banks.

EGYPT—FINANCIAL CHANGES—DISMISSAL OF MR. RIVERS WILSON AND M. BLIGNIERES.

QUESTIONS. OBSERVATIONS.

SIR JULIAN GOLDSMID said, that since the House last met some remarkable circumstances had occurred in Eastern Europe, as to which he wished to put a series of Questions to the right hon. Gentleman the Chancellor of the Exchequer. As they would require a little explanation, to put himself in Order he would conclude with a Motion. It had been stated in the organs of public information that, in consequence of various proceedings, to which he need not further refer, as they were well known to the House, the Khedive had dismissed Mr. Rivers Wilson and M. Blignières, who had been called his European Ministers. He had seen that it was stated, also, that Mr. Rivers Wilson had declined to be so dismissed, alleging that he could not be dismissed without the permission of the Government of England. The House would remember that on a former occasion, when a Question with regard to the position of Mr. Rivers Wilson, was addressed by him (Sir Julian Goldsmid) to the Chancellor of the Exchequer on the occasion of a Motion by the hon. Member for Kirkcaldy (Sir George Campbell), the right hon. Gentleman clearly stated that Mr. Wilson was in Egypt as a servant of the Khedive, and that the Khedive had absolute authority to dismiss him without the interference of Her Majesty's Government; and the right hon. Gentleman added that they did not propose to have any direct communication with Mr. Rivers Wilson, because they did not wish it to be imagined that he in any way represented the British Government. That being so, the first Question he (Sir Julian Goldsmid) desired to put to the right hon. Gentleman was, Whether it was true that Mr. Rivers Wilson had put in such a plea as had been alleged against his dismissal by the Khedive, his master; and, secondly, if such were the case, what reason or authority he had for saying he would not be dismissed without the permission of the British Government? This was a matter of considerable importance, because it had been asserted in various quarters that England and France were about to embark in a serious course of interference with Egyptian affairs. As he (Sir Julian Goldsmid) was one of those who thought that the Government had quite enough to do at present without interfering in the affairs of Egypt, he apprehended that the House of Commons would wish to know the exact position occupied by Mr. Rivers Wilson, both with regard to the Khedive and with regard to England. That was his (Sir Julian Goldsmid's) first proposition. He was quite aware that when Questions relating to foreign affairs were put in that House, it was the custom of the Government to adopt one of three courses in reply—either they replied that Ministers had no information; or that the matter in dispute was still pending, and that, as the Government was acting in concert with a Foreign Power, it would therefore be inconvenient to offer any explanation; or that, as the question had been settled, there was no use in discussing it. For his part, he objected to all and each of those three courses, and was of opinion that it was quite time the House of Commons should be taken a little more into the confidence of Her Majesty's Government than they were at present. Then, again, it had been said that an appeal had been made by Her Majesty's Government to the Sultan to dethrone the Khedive for having dismissed his European servants. He (Sir Julian Goldsmid) should like to know, Whether any such strange action had been adopted by the Government? Had any such course been taken, it would be a revival of a policy towards Egypt which would have most serious results, and would tend to perpetuate evils which it had, he thought, been the aim of British Ministers to remove. Upon this point he would also remark that it seemed strange that a British Government, having a quarrel with the Khedive, if they had one, should not be able to manage that quarrel itself, but should have to seek the assistance of the Sultan to help them out of their difficulty. He therefore thought that if our Government had asked the Sultan to interfere it was very unwise. And the same thing should be said with regard to accepting any offer of interference on his part. There was another point of very considerable importance. When, upon a former occasion, he asked the Chancellor of the Exchequer whether there was any truth in a statement which appeared in the papers with regard to an intimation said to have been sent to the Khedive by Her Majesty's Government, as to the position of Mr Rivers Wilson and M. de Blignières, the right hon. Gentleman replied that the French Government were acting in concert with the English Government, and therefore he was not able to say whether the statement was or was not correct. If such were the case, he hoped the Chancellor of the Exchequer would state, Whether he considered it desirable that such action in concert, binding us to another Government, should be taken without the concurrence of the House of Commons? The result of such a proceeding, he thought, might be not only disastrous to ourselves, but disastrous also to our international relations; and as it was possible that the interests of France might be entirely different from our interests, Her Majesty's Government ought to hesitate before they pledged themselves to absolute unity of action in the matter. He was aware that his hon. Friend (Mr. E. Jenkins) had replied to the letter he had published in *The Times* on this subject; but, in his opinion, his hon. Friend had not touched the real question he had endeavoured to raise. We had, strictly speaking, no more right to interfere with the private government of Egypt than we had to interfere with the private government of any European country. All we had the right to do was to look after our interests in the Suez Canal. He repeated, he should like to know, Whether there were any, and, if so, what joint relations between the English and French Governments? The Suez Canal had nothing whatever to do with the interests of the bondholders. France had an interest in the latter on account of the Credit Foncier; but not we. If people put their money into such loans in order to make extravagant gains, they ought to know that they were running extravagant risks; and there was no reason why Her Majesty's Government should endeavour to support them in their effort to obtain the immoderate rate of interest they claimed. If, as he had seen it stated, the French Government were not desirous of doing anything, he should concur with the Government in assisting them to do nothing; but if action was to be taken, the House ought to be informed of the relations existing between the two countries. Our position, as he had said, was entirely different from that of the French, and therefore he desired to know, What the joint action was to which the Government was stated to have pledged itself? And he should like to have some assurance from the right hon. Gentleman that the Government would take no action which might involve this country in responsibility for Egyptian rule without having previously consulted Parliament. In conclusion, he held that because the Khedive had exercised his right to dismiss one or two of his Ministers, that was no adequate reason for our interfering with the Khedive, or inducing the Sultan to interfere. Therefore, he hoped the House would receive a full and frank explanation from the Government as to what was really being done or contemplated. This was all the more necessary, considering the number and the magnitude of our international complications at the present moment. He himself thought we should not take any unusual course in the present case, because Mr. Rivers Wilson was one of the Commissioners for the reduction of our National Debt. But rather the reverse; for since Mr. Wilson had left, the Government had forgotten all about the reduction of the National Debt. That was surely, therefore, one reason why he should come back to us and attend to his duties. He hoped the Chancellor of the Exchequer would be able to set their minds at rest in connection with the points he had mentioned, and concluded with the Motion that the House do now adjourn.

MR. E. JENKINS said, he wished to ask the right hon. Gentleman some additional Questions, and, therefore, he would second the Motion for adjournment. It would not be expedient, he admitted, at present to discuss all the questions raised; but he wished to know first, How soon the Government expected to lay on the Table of the House further Papers relating to Egypt, and whether they would contain the text of the Identic Note said to have been despatched by England and France; and, secondly, whether it was true that the Government had made any implied or direct promise to the Italian Goverment to give them a place in the arrangements entered into at the time Mr. Rivers Wilson and M. Blignières were appointed; and whether it was true that there had been expressed on the part of the Italian Government any feeling of disappointment at the action which Her Majesty's Government had since taken? for it was as well that it should be known whether Her Majesty's Government were or were not in complete accord with the Italian Government on the subject.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Julian Goldsmid.*)

The CHANCELLOR of the EXCHEQUER: Sir, I think it would be hardly convenient to enter into a long and general discussion of the Egyptian question at the present moment. The matter is one on which I have spoken more than once, and at the proper time I shall be glad and willing to speak upon it again. But I am ready to answer the Questions which have been raised by the hon. Baronet opposite (Sir Julian Goldsmid), and I can say generally this—That these events, to which so much attention has been drawn, have occurred very recently; and although we have had several telegraphic communications on the subject, we have not received, and shall not receive until the end of this week, any full written communication respecting them, or any full explanation of what really has taken place, or of the grounds on which what has been done has been done. I will, therefore, only content myself by saying, with regard to the first Question put by the hon. Baronet whether it was true that Mr. Rivers Wilson has declined to be dismissed, that we have received no communication to that effect. It may be true, or it may not; but we have not received any communication on the subject. With regard to the next Question, as to whether an appeal has been made to the Sultan to interfere in the matter, no such appeal has been made; and with respect to the Question of concert with France, I have been somewhat mystified by the speech of the hon. Baronet, because the hon. Gentleman spoke in language which implied on his part a knowledge that we are in communication with France, that we have pledged ourselves to some joint action, and that he has almost equal knowledge that France is not going to take any action at all. I can only say that in the present state of things, not having received full explanation of what has taken place, we have not pledged ourselves to anything at all; but we are in communication with the French Government, who are very greatly interested in this matter as well as ourselves, and we shall, I have no doubt, very shortly be in a better position to decide what steps, if any, ought to be taken. I do not think I really can say more at the present moment. With regard to the first Question of the hon. Member for Dundee (Mr. Jenkins), I believe that certain Papers relating to the Egyptian affairs are ready, and will be almost immediately presented to the House; but I am not able definitely to answer the Question. The second Question put by the hon. Member respecting the Italian Government is one of those Questions on which I would rather not enter at the present time.

TURKEY—EASTERN ROUMELIA—THE PROPOSED JOINT OCCUPATION.

QUESTION.

Mr. W. E. FORSTER wished to ask the Chancellor of the Exchequer, before the Motion of the hon. Baronet was withdrawn, Whether any credence should be given to the statements repeatedly made in the public Press, to the effect that the plan of a joint occupation of Bulgaria had been given up?

The CHANCELLOR of the EXCHEQUER: Sir, I am not prepared to say that the plan is given up; but that is a Question of which I think it would be more convenient that Notice should be given. I do not understand that the plan has been absolutely given up; but, undoubtedly, questions have arisen with regard to it, and the attention of the

Powers has been turned in another direction.

Sir JULIAN GOLDSMID, while expressing his readiness to withdraw his Motion, said, that, in consequence of the answers which he had received from the Chancellor of the Exchequer, he would, in accordance with the views of the right hon. Gentleman, repeat several of his Questions on an early occasion.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TREATY OF BERLIN—PROTOCOL 13—GREECE AND TURKEY—RECTIFICATION OF FRONTIER.—RESOLUTION.

Mr. W. CARTWRIGHT, in rising to call attention to the portion of Protocol 13 of the Berlin Congress relating to a proposed rectification of frontier between Greece and Turkey; and to move—

> "That, in the opinion of this House, tranquillity in the East demands that satisfaction be given to the just claims of Greece, and no satisfaction can be considered adequate that does not ensure execution of the recommendations embodied in Protocol 13 of the Berlin Congress,"

said, that in bringing forward his Motion, he wished to say a few words of explanation. From the commencement of the Session he had asked for Papers, but these had been persistently withheld; until at last he found that it was no longer possible to wait with the Motion in reference to Greece, of which his Notice had been down for a long while. Under these circumstances, he would have to claim the indulgence of the House, inasmuch as in the course of his statement he would have to rely on information that was not official. He trusted the House would believe that the information on which he ventured to rely was not mere rumour, but possessed some amount of value. The first who recorded his opinion was Count Capo d'Istrias, a Greek, it was true, and therefore perhaps a partial witness, but one thoroughly acquainted with the country. He drew up a Memorandum, in which he urged the necessity of not separating from Greece the Provinces of Thessaly and Epirus. In 1829 there was in Poros a Conference of Representatives of the three Powers to settle the basis for pacification of Greece. They drew up a Protocol of recommendations. The English name affixed to it was that of Lord Stratford de Redcliffe, a guarantee that the plan proposed was one formed with knowledge and political prudence. That Protocol demanded for Greece, not merely on the Continent territory almost identical with that proposed for cession by the Berlin Congress, but also the incorporation with Greece of Crete and Samos. So strongly did Lord Stratford de Redcliffe feel the importance of Greece being made to include these territories, that he resigned when the decision of the European Cabinets refused to accept this project. The principle from which he approached the subject under consideration was this—that, in his opinion, there was nothing which made it incumbent in defence of British interests to avoid an alliance with what was progressive, and seek an alliance with that which was retrograde, as Her Majesty's Government seemed to have done in reference to Geeece. Although the Government had shown an indisposition to produce Papers on this subject, yet he was not speaking from mere gossip when he said that it seemed to him proved that before, at, and after the Congress at Berlin, the Government turned their back upon principles which they ought to have strenuously upheld, showing a striking contrast to the generosity, sympathy, and Liberal instincts of Lord Palmerston with regard to the freedom of Belgium and Italy. When that noble Lord directed the affairs of this country, he was careful that nothing should dissociate the British Government from what was progressive in Europe, and should lead them to associate themselves with that which was retrograde. That policy, he (Mr. Cartwright) considered the policy worthy of a great statesman; whereas, in the action of Her Majesty's Government towards Greece, there had been exhibited almost a cynicism in the indifference which had been shown to the claims of that country. It was easy to say that there were shortcomings on the part of Greece. Where was there a nation without shortcomings?

but where, on the other hand, would they find a more busy and active element than an industrious Greek? Turkey in Europe was dying out, physically and morally, and was shrinking. Was that the case with Greece? The population of the ancient Kingdom had increased from 752,000 in 1838 to 1,220,000 in 1870. It could not be said that there was a blight on the country, when they had such a fact as that. This progress had taken place under circumstances avowedly the most disadvantageous that any country had ever had to struggle against. If the Spirit of Evil had devised deliberately a configuration that was intended to be most adverse to the well-being of the country, that Spirit could not have devised a configuration worse than that into which the people of Greece had been squeezed by the unwisdom of European Cabinets. The fact had been recognized by a series of eminent statesmen. When the Kingdom of Greece was created in 1830, it was by a concurrence of testimony and authority established that what was then created was not a real Kingdom of Greece, but an abortion. In 1854, Lord Palmerston felt so much the importance of strengthening the Kingdom of Greece that he favoured the annexation of Epirus. Indeed, Lord Beaconsfield himself, last year at the Congress, admitted that the existing Frontier of Greece was an indefensible one, and that it "constituted a danger and disaster." The Greek Frontier, which was fixed in 1830, was not one which made the Kingdom, but one which truncated and crippled the country, while at the same time European diplomacy had weighted the nation with an exorbitant load of debt. His charge against Her Majesty's Government was that they had thoroughly broken the hopes they had held out to Greece. Greece had never concealed her desires, but she never unduly pushed them. In fact, it could be shown from the Papers, such as had been published, that from first to last what Greece said was, "If England will give us her promise that she will let us have a helping hand, we will leave to her the fulfilment of our hopes and aspirations." What was the result? Her Majesty's Government invariably assumed an unfavourable attitude towards Greece, although the greatest Ministers of England had always made it a cardinal point of their policy to promote the interests and extension of Greece as the proper course of England to adopt for the ultimate solution of the Eastern Question in accordance with the real interests of England. It was owing to the pressure put upon Greece by England that Greece did not join the late war against Turkey; and that being the case, the Government was bound to support the interests of Greece, and take care that the very moderate decisions of the Congress in her favour were carried out in their integrity. The impartial student of contemporary history, in so far as it related to this question, must, he thought, conclude that Her Majesty's Government had utterly broken the promises made to the Greeks, while the Greeks themselves had, on the other hand, in no way shown a want of confidence in the hopes they were led to entertain. When war broke out between Russia and Turkey, an agitation naturally sprung up among the Greek population; and Her Majesty's Government, anxious to circumscribe the dangers of Turkey, made representations upon that matter to the Greek Government. On June 9, 1877, Lord Derby wrote, calling the attention of the Greek Government to the subject of the agitation that prevailed, and urging them to take steps to arrest it, that agitation being upon the Turkish Frontier and among populations which were under Turkish rule. The Greek Minister replied, expressing confidence in the English Government, and he said that his Government would be entirely guided by Her Majesty's Government; but he asked for some assurance that Greek interests should not be allowed to suffer upon the conclusion of peace. This was the key to their language throughout. Greece, from first to last, said that all that was asked was that there should be a consideration of the Hellenic Question, whenever the questions arising out of the war came to be considered. There was no cloaking or concealing of what it was that Greece wished, for she said, from first to last, that she wished the Hellenic Question to be considered. On July 7, Lord Derby sent a reply to the appeal that had been made to him; and a very cautious and uncertain one it was. He asked what was the precise meaning of the phrase "the Hellenic Question?" and he said that the Government were not prepared to give assurances as to events that might occur; but he was ready to assure the Greek Government that so far as lay in the power of the English Government, when the time came for a settlement of the questions that had been raised, it would use its best influence to secure to the Greek populations any administrative reforms that might be conferred upon the inhabitants of other Provinces. It was a kind of stock phrase that ran through all that English Correspondence, that English Ministers would use to the utmost their ability, their influence, and their power in insuring a consideration of Greek desires. These assurances were accepted in good faith by Greece, and she never gave way in her confidence that to the best of our power we should secure the consideration of the Hellenic Question. In consequence of the advance of the Russian troops there was a great effervescence among the Greek population, which was at first supposed to arise from a kind of conspiracy. Her Majesty's Government, therefore, took a remarkable step. They spoke in terms of menace, and said that, as a protecting Power, we had a right to expect that Greece would follow the course which had been pointed out for her. Months passed, and at last the Congress met; and when it came to be a question of discussing the Greek Frontier, Lord Beaconsfield, though he spoke in no enthusiastic terms with regard to Greek claims, made one remarkable statement, for he said the movement of the Greek population in the Provinces of Turkey had not been fomented by the Greek Government. He would now say a few words as to the Congress. When it was about to meet, on the 23rd of February last year, an official demand was addressed to Her Majesty's Government for the admission of Greek Representatives to the then approaching Congress, and then the assurance was given that the condition of the Hellenic population would be discussed at the approaching Congress. There was a reiteration of the Greek demand and the nature of it, and it was declared that it was a sacred duty on the part of the Greek Representative to plead the cause of the Hellenic population of the Ottoman Empire. The answer of Lord Derby was dated March 9, and in it he declared that Her Majesty's Government had considered the appeal which had been thus made to them, that they were of opinion the Greeks were fairly entitled to be represented at the Congress, and that they would signify this opinion to the other Powers. There was not one word of reservation here as to the Greek claims when the Congress was about to meet. When the Congress was about to assemble, Lord Salisbury, as Foreign Secretary, drew up instructions for the third British Plenipotentiary, Lord Odo Russell; and amongst the questions which our Ambassador at Berlin was told to prepare his mind for were those connected with the administrative institutions in Thessaly, Epirus, Crete, and other Provinces, and with the claims which would undoubtedly be advanced by the Government of Greece to some of these Provinces—claims which ought to receive careful consideration. It could not be said that Her Majesty's Government did not understand the sense and meaning which the Greeks put upon the claims which they advanced. But when the Congress actually met, the British Representatives proposed to limit the right of the Greeks to be heard to parochial matters —matters of internal or ecclesiastical organization; school matters; matters of considerable local importance, but of a strictly parochial bearing. Thanks, however, to French, and not to English auspices, the Greeks were allowed to be heard in reference to political questions — in reference to the future of the Turkish Provinces bordering upon their country. The Conference was brought to a close, and the Treaty which was the result of it contained a clause—the 24th—providing that, in the event of Turkey and Greece not being able to arrive at a rectification of Frontier, in accordance with the lines which had been proposed by the French, and grudgingly accepted by the English Representatives, the Greek Government might apply to the Powers, with a view to obtain their mediation for the execution of that portion of the Treaty. In what he was now about to state on this head he was obliged, in consequence of the reticence of Her Majesty's Government, to speak from private information, but from information which he believed to be thoroughly trustworthy. The Congress was brought to a conclusion in July last; but it was not until after the lapse of six months, in December, that the Turkish Government could be induced to take the slightest step, not towards the execution of the provision of the Treaty to which he referred, but towards recognizing the fact that such a provision existed. On the 17th of July, according to his information, the Greek Government requested the Porte, in deference to the resolutions of the Congress, to appoint Commissioners with the view of carrying out or negotiating a rectification of the Frontier on the basis of the Berlin Treaty; but six weeks elapsed without there being a possibility of getting even an acknowledgment of the receipt of that demand. It would almost seem that the acknowledgment was considered by the Turkish Government to be sufficient, for no notice was taken of the request itself; and on the 2nd September the Greek Government again addressed the Porte on the subject, and asked that the Commissioners should be appointed within a week; and what was the reply? The Grand Vizier, Safvet Pasha, said—"I have had no time to take your demand into consideration. I must go to the Sultan, and I must also talk with my colleagues." Subsequently the Greek Minister at Constantinople was informed that, some weeks before, a Memorandum had been drawn up by Safvet Pasha and sent to the Powers, complaining of the decision which had been arrived at by the Congress on the question of the rectification of the Greek Frontier, and stating that he would not communicate with Greece with reference to it till he had received an answer to his Circular from the Powers. That was a Circular which had been sent out by Safvet Pasha with a view to secretly rendering altogether nugatory the decisions which had been openly arrived at by the Congress. Greece, being afterwards told that there was no chance of Commissioners being appointed and that nothing would be done in the matter, turned to the Powers and addressed a Circular to them, in virtue of the provision contained in the Berlin Treaty, calling for mediation; and out of this appeal had arisen the despatch of the 21st of October, from the French Government addressed to the English Government, in which M. Waddington drew attention to the danger of the claims of Greece being ignored, and of the importance of friendly and trustworthy relations being established between Turkey and Greece, remarking upon the great impropriety of Turkey being permitted to pick this and that out of the Treaty, and to accept or reject just what she pleased. M. Waddington concluded by saying that the moment had arrived to offer mediation between Turkey and Greece, and that he hoped Her Majesty's Government would join with France in offering that mediation. No answer to that despatch had ever been published; but as the proposed mediation had never been acted upon, the only conclusion to be drawn was that our Government were not willing to respond to the appeal made to them, and that they had thrown cold water upon the proposal. At length, on the 25th of December, the Porte informed the Greek Government that a Commissioner — Mukhtar Pasha—had been appointed to consider the proposed rectification of the Frontier, and two days afterwards Greece communicated the name of the Commissioner selected to act on its behalf. The Porte thereupon put a lamentable amount of miserable pettifogging obstructions in the way of the consideration of the question. A place of meeting for the Commissioners was appointed which did not exist save in the imagination of those appointing it, and then Mukhtar Pasha could not be found; the result being that weeks elapsed, and ultimately it was announced, on the part of the Ottoman Government, that they had not found time to draw up instructions for their Commissioner, whose departure must consequently be postponed. When these obstacles were overcome and the Commissioners at last succeeded in holding a meeting, which took place on February 8, it was said on behalf of the Turks that no instructions had been given by the Ottoman Government with reference to the interpretation put upon the Protocol, and that it was for the Greek Commissioner to say what the interpretation was. The Greek Commissioner, however, repudiated the responsibility, and the matter being referred to Constantinople, 35 days elapsed before any reply could be obtained. When the reply did come, the Turkish Commissioner proposed to give a little slice of territory to Greece—an offer which was naturally rejected—and the Conference came to an end without any settlement of the question. On the 21st March an appeal was made to the Powers to mediate according to the terms of the Berlin Protocols. By the Resolution which he (Mr. Cartwright) proposed he did not commit the House to this or that point of detail, but merely asserted that the rectification of Frontier proposed by France, and accepted by the Berlin Congress, was the minimum of that which was necessary to satisfy the legitimate aspirations of the Greeks. He disputed the allegations that such a rectification would be regarded with dissatisfaction by the Albanians, or that there was any rivalry between them and the Greeks. He could say of his own knowledge, at least, that a few years ago Janina was thoroughly Greek in character. It was the site of an old ecclesiastical see, dating from the beginning of the 14th century, and not many years ago more than half the population were Greeks. Moreover, in the darkest days of Greek oppression, when the Mussulman rode roughshod over the land, Janina was a place in which Greek letters and culture prevailed more than anywhere else. The Albanian population was not restricted to Albania proper; he had found them in the heart of the Morea and in Athens itself, and among those who had been foremost in all the wars of independence the Albanians were conspicuous. They should not, therefore, run away with the idea that because deputations had come from some places to protest against the destruction of Albania, therefore the Albanian population were animated by a strong anti-Greek feeling. He would not deny, however, that there were Albanians who had no Greek sympathies; they were in the northern part of Albania, and were of the Catholic, not of the Greek faith. The case which he put before the House was a melancholy one for an Englishman. The facts in the Blue Book showed that the action of the Government had not certainly been one of cordiality to Greece; they had not stretched out the hand to a nationality which contained the elements of progress and promise for the future. The Government had taken up on every capital occasion a position behind which the Turk had been able to screen himself. He believed, however, that before long the principal thing for which the Treaty of Berlin would be remembered was, that it was from the date of that Treaty that the Hellenic Question had become a reality, and an important reality, in the political development of the East, because, from the day that it had obtained a recognized place in the register of diplomacy, it could not be ignored. It was because he entertained a firm belief that there was no possibility of shelving the question, unless they laid violent hands upon and strangled the Greek population, that he had ventured to call the attention of the House to the subject, and to submit his Resolution, which affirmed that the proposed rectification of Frontier between Greece and Turkey, contained in Protocol 13 of the Berlin Congress, was the minimum of that which was necessary to satisfy the just claims of Greece.

Lord EDMOND FITZMAURICE, in seconding the Resolution, said, that anyone who had heard the exhaustive statement of his hon. Friend the Member for Oxfordshire (Mr. Cartwright) must be convinced that there had been a melancholy consistency in the action of Her Majesty's Government towards Greece. However individual Members might have been at variance with one another, Her Majesty's Government, whether represented by Lord Derby, Lord Salisbury, or Lord Beaconsfield, whether at an early or at a later stage of these negotiations, had invariably assumed a tone of discouragement, neglect—he had almost said dislike—towards the aspirations of the Greek Government and people. If Lord Derby and Lord Salisbury chilled them with their despatches, Lord Beaconsfield froze them with his speeches. If, when the Greeks appealed for better government, they met for the moment with a certain illusory support, they soon found themselves in the position of the person who, when he asked for bread, was presented with a stone; for when they required a rectification of Frontier, so that there should be a transfer of populations, Christian in religion and Greek in sympathy, to the rule of the Greek Government, they were met with illustrations of the desirability of improved local relations and better parochial government. The 13th sitting of the Congress of Berlin began with a curious speech from the Prime Minister, containing reflections on a predecessor of his own—one of the most eminent statesmen of this country. The Prime Minister denounced the settlement made by him with regard to the Greek Frontier as "imperfect and disastrous." It was the Duke of Wellington who was mainly responsible for the arrangements made at the time of the liberation of Greece. If the wide line which was asked for by the Count Capo d'Istrias, and of which Lord Stratford de Redcliffe had expressed himself in favour, had not been adopted, no one was more responsible than the Duke of Wellington, who was then at the head of a Conservative Administration. When, however, they found a Conservative Minister in 1878 denouncing the work of his Conservative predecessor as having been imperfect and disastrous, they were not obliged to show extraordinary deference to the recommendations of the present Prime Minister, who was animated by the same unfortunate dislike to the principle of nationalities, and of increasing the liberties of countries long oppressed, which had inspired the Duke of Wellington. He wished particularly to call attention to that part of the speech in which Lord Beaconsfield summed up the whole policy of Her Majesty's Government by asserting that he was not in favour of anything which could be called a territorial aggrandizement of Greece, and that he only unwillingly and out of deference to the opinions of his illustrious Colleagues consented to what he called a rectification of Frontier. Having drawn this distinction, the noble Earl proceeded to make that famous joke or sarcasm that contained much which was cruel when you considered its object. Comparing nations with individuals, he asserted that each had a future, and he told the Greek Government that the best thing they could do was to have patience and wait. In point of fact, however, the nations which had played a mighty part in the history of the world were not those which had relied upon a vague expectation of the future. They were those which had relied on their own strong arms and their diplomatic skill and on that Providence which, in the long run, always acted on the side of long-suffering nations. Since the Declaration of Independence and the Coronation of King Otho, Greece had upon the whole proved itself to be worthy of those great privileges of liberty and Constitutional government which, after much hesitation, the Great Powers of Europe were induced to confer upon it, and he believed that the paper bonds with which diplomacy had attempted to fetter its hands would be rapidly torn asunder. His hon. Friend had mentioned the increase of population. Quite recently a German work had been published at Gotha, which contained a carefully-prepared statistical survey of the present Kingdom of Greece and of the neighbouring countries. The fourth part, just issued, had especial reference to the Provinces of Thessaly and Epirus. The author adduced numerous facts to show there was every reason for believing that the Kingdom of Greece was in a fair way to fulfil, not, perhaps, those poetical aspirations which so entranced literary gentlemen many years ago at the time of its emancipation, but the hopes of men of business, who knew that before any great development could be made in the direction of intellectual work or literary performance a certain modicum of material comfort and wealth was absolutely necessary. We must, of course, ask ourselves this question—"Do the Greeks come into court with clean hands?" Could the Greeks say—"We have since 1830 so governed the lands you gave us, and also the Ionian Islands, that we can certainly say that the countries which we ask you to transfer to us will be improved in their lot." Since 1830, the population of Greece had almost doubled. In that year, owing to the centuries of despotism under which Greece had suffered, and to the devastation to which it had been exposed in the struggle against Turkey—a devastation which had not been equalled in Europe since Turenne ravaged the Palatinate—there were only nine towns of which it could be said that one stone stood upon another, whereas there were now no fewer than 130 "populous places," which were shown to be places of importance by the fact that they possessed post-offices. Then the German author showed that the area of cultivated land in Greece had, since 1830, increased by nearly one-third, and now stood at 2,500,000 acres. It would be said that that was not a large per centage out of a total acreage of 15,000,000 acres; but the land had been wasted for years by Turkish despotism, and a large portion of it could only be cultivated after an enormous expenditure of labour and capital. Again, Greece produced at the present moment three-fourths of the cereals necessary for its own consumption. In 1830 there were 380,000 mulberry trees, whereas there were now 1,300,000. The number of olive trees had also increased from 300,000 to 7,000,000, and the fig trees from 50,000 to 980,000. He would now consider whether the Greeks had been true to the ancient fame of their race as a commercial and maritime nation. In 1821 there were only 450 ships which could be fairly said to hail from Greek territory, and their tonnage was only 52,000. In 1878 there were 5,200 Greek vessels with a tonnage of 250,000. Turning to the subject of education, he found that their progress might not be so great as could be wished; but of the boys of school age two-thirds did make a certain attendance, and at the last Census in 1870, 33 per cent of the population were able to read and write. Those facts he considered very remarkable, seeing that they had been achieved in the very limited period since Greece became an independent Power. It was not long since England could say that only 33 per cent of her population were able to read and write, and surely they were not to condemn Greece. If the Greeks had not made all the progress which could be desired, still they were making honest attempts to improve their position and to prove themselves worthy of the great privileges conferred upon them. Indeed, considering that the mind of the Greek Government had been perpetually diverted by troubles on their borders, the material, moral, and intellectual advance they had made was really considerable. Again, the Greeks had shown themselves to possess in a singular degree the peculiar quality, which was a clear mark of a Sovereign people—he meant the power of assimilating whatever fragments of other nations and populations might be found within their borders. In 1830, when Greece was made independent, there was a very large Albanian population within it borders; and there was also in some of the Frontier districts in the North a considerable Wallach element, who had settled down to habits of industry and obtained employment. Mr. Martin's work showed the vast extent of the Albanian population within Greece proper. Since 1830, not only there had not been the smallest discontent on the part of that population, but to all intents and purposes the difference between them and the Greeks had disappeared, owing to the Greek tongue having become the tongue of the Albanians within the borders of Greece. Those Albanians were characterized by great social and industrial activity, and their race had furnished to the Greek soil the greatest number of cultivators, as well as a valuable maritime class. An enormous amount of excitement had been raised on the ground that a large Albanian population, contrary to its own wishes and to all the principles of national justice, was about to be separated from its mother race, and incorporated in the Greek Kingdom. But in the Greek Kingdom the Albanian race found a natural home, was welcomed by the Greek people, and had not rebelled; and it might be anticipated that when the Greek Kingdom got an extension of territory, even if in the territory so ceded there was a certain Albanian population, that population, being kindred to the Greeks in mind, in wishes, and in aspirations, would not prove a source of difficulty or of danger either to Greece or to Europe; but, on the contrary, like the Albanians within its present limits, be a fresh source of strength to the Kingdom, which they had illustrated by glorious deeds of naval daring during the War of Independence. He would ask the attention of the House to an article which he had yesterday seen in *The Augsberg Gazette* with regard to the population which was dealt with by the 13th Protocol of the Berlin Congress. The result of that article—the writer of which evidently had no leaning in favour of Greece, but a strong desire to do everything that was just to the Albanians—was that the whole of the district of Epirus, which it was proposed now to cede to Greece, with the exception of a small tract on the sea coast inhabited by Albanian Mahomedans, was entirely inhabited by Greeks or by Albanian Christians, who were closely allied by sympathy and by common traditions to the Greek nation. As to what was proposed with regard to Thessaly, he would observe that, although the Greek Government, with great wisdom and moderation, had agreed strictly to the Protocol of the Congress, and expressed their willingness to be satisfied with the line of the Salembria river, yet he thought it would be impracticable to make that river a satisfactory boundary. It was laid down by high authorities that the worst Frontier was a river. Whatever discontent there had been among the Greek population South of the Salembria existed also among the population North of that river. In his opinion, Greece was entitled to hold the line of hills which would guard her Frontier. He felt that he had troubled the House too much with matters of detail; but he had noticed the tendency in conversations and in the discussions in the Press to advance this question of boundaries until it had become one of enormous importance; and the broad fact which he wished to impress upon the House and the Government was that Epirus, and certainly that portion of it which was included in the town of Janina, was inhabited by a population mostly Greek, but almost altogether Christian. The line of demarcation was more of religion than of race, and only on the coast on the Western side was there any appreciable number of Albanian Mahomedans. He hoped and trusted that the Government would abandon, if they had not already abandoned, the carping spirit in which apparently, in the Treaty of Berlin and since, they had approached the legitimate claims of the Greeks, and that they would once more identify the name of England with the great cause of liberty in the East of Europe. He did not believe that England had always followed one foreign policy, but that it had been repeatedly altered, according to the home policy of the Government of the country. He believed that if it had not been the will of Providence to take away Mr. Canning when he died, all the vexed questions which had troubled the present generation would have been settled, or placed in a fair way to be settled. He was, however, succeeded by the Duke of Wellington, who opposed the policy Canning had pursued, and desired to confine the Greeks in as narrow limits as possible. Although the arrangements which were made last year would not as a whole work, there was one thing which he feared would remain in the minds of the inhabitants of Eastern Roumelia, and that was a detestation of the English name, owing to the fact that they would believe that the mind of the English nation, as represented by its diplomacy, was opposed to the acquirement by them of liberty and good government. That being the case, he hoped Her Majesty's Government would fortify themselves with the support and goodwill of the Greek people. If they did not, he feared the day was not far distant when another English Prime Minister might have to say, like the Duke of Wellington, that there never had been any question in his memory so disastrous to the interests of England as the Greek question; and that once more the English nation might have to feel that the councils of her Ministers had brought contempt on the policy of England.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, tranquillity in the East demands that satisfaction be given to the just claims of Greece, and no satisfaction can be considered adequate that does not ensure execution of the recommendations embodied in Protocol 13 of the Berlin Congress,"—(*Mr. Cartwright,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GLADSTONE: Sir, although I am desirous of saying a few words on the present occasion, I should very gladly, indeed, have refrained from doing so, if I had understood that the Government, or any individual of it, was prepared without delay to do so; because I feel that we approach the subject under very great disadvantages in the state of ignorance in which we unfortunately stand, having had no Papers placed in our hands and having no authoritative intimation of the intentions or of the actions of Her Majesty's Government. However, I hope that delay on the part of hon. Gentlemen opposite will be soon supplied, and that what we may say on the present occasion may not bear an adverse construction; and I am sanguine enough to believe that even in the present House of Commons there may be found a disposition on the part of many hon. Members to encourage the first of legitimate aspirations on the part of the Hellenic races after freedom, and I hope that the declaration of the Government will be such as to give satisfaction to the House and to the country. For my own part, I have been exceedingly desirous during these last few months, as far as my judgment could guide me, to avoid saying anything which could interfere with the fairest and best chance which the provisions of the Treaty of Berlin might have of taking full and unmixed effect, and for that reason I would not introduce into the discussion the slightest allusion to any of the questions remaining unsettled under the Treaty, except the question which has been now submitted to the House. With respect to that question, I think in every point of view we must acknowledge our debt of obligation to my hon. Friend the Member for Oxfordshire (Mr. Cartwright) and my noble Friend (Lord Edmond Fitzmaurice), not only for the great care and ability with which they have treated the subject, but likewise for their having undertaken at the present time to bring it under consideration, because this is not a discussion which aims at interrupting or modifying the stipulations of the Treaty of Berlin. Had it been so, whatever I might have thought of those stipulations originally, I should have thought it a great responsibility to have taken it upon myself, as a Member of Parliament, to have endeavoured to interfere with the decisions of a European Congress, and that which it decreed or recommended; but on the present occasion the case is entirely different. The contention of my hon. and my noble Friends is not that the Treaty of Berlin has been maintained by Her Majesty's Government and is likely to be enforced upon the Hellenic population; it is directly the reverse. It is that the Treaty of Berlin contains recommendations which are valuable and important in the interests of the liberty and happiness of Greece, and that so far as we know we have as yet received no evidence whatever that our Government, the Government of this country, the whole of whose traditions are connected, inseparably connected, with freedom, has acted energetically in support of the provisions of the Treaty of Berlin. Now, Sir, that is really what we are entitled to ask of Her Majesty's Government. If Her Majesty's Government should state to-night that they are engaged in negotiations, that the matter is approaching maturity and has not yet reached it, I can well believe that the House may feel that there is necessarily great force in such a plea when used by a Government, because on the conduct of such negotiations a great deal may depend. I do not know what may be the intention of my hon. Friend with regard to taking a Division upon this Motion. I assume it may depend a good deal upon the tone adopted by the Ministry; but, Sir, we know that the case stands thus—we know that the Porte has gone back upon its usual resources of craft, and inert but obstinate resistance; and every device that ingenuity can suggest has been used to evade giving effect to the recommendations of the Treaty of Berlin, notwithstanding that the signature of its own Minister is appended to that document. And, further, we know this—that it is not a case in which, so far as our information goes, Her Majesty's Government have difficulty to apprehend upon the part of other European Powers. There is abundant evidence that France is in earnest. We have most unfortunately allowed her to take, with reference to the Hellenic races, the first place as the champion of their interests and the mainstay of their hopes. But that does not exclude us from active and energetic co-operation. Whatever comments may be made on the conduct of our Plenipotentiaries at Berlin—and I, for my own part, felt it my duty to make some severe comments upon it—the door is not yet closed. The expectations held out to the Greeks by Lord Salisbury in the despatch of the 8th of June, 1878, remain on record, and as it was only referred to without citing the words a short time ago, I should like to read the words of that despatch to the House. On the 8th of June, 1878, Lord Salisbury wrote—

> "The claims which will undoubtedly be advanced by the Government of Greece in reference to some of these provisions will receive the careful consideration of Her Majesty's Plenipotentiaries, and, I doubt not, that of the Representatives of other Powers."

That language was language as strong as it was possible for a Government to use in the view of a European Congress, and it conveyed, with as little reservation as diplomatic usages would allow, the distinct intention of the British Government. It was a pledge to the Government of Greece to support and to advance, within reasonable limits, the territorial claims of the Greek Government. I dwell upon this, because there was one sentence in the speech of my hon. Friend from which I thought an inference might be drawn the reverse of what he intended—namely, that the pledges of the Government had been confined to administrative, or, as he called them, "parochial" claims. At the time this despatch was written, the territorial claims of Greece, and all of them, were entirely and bodily before the Minister who wrote it, and it was with the fullest knowledge of what Greece sought that these words were used; and I am within the judgment of the House when I speak this opinion, with great confidence, that those who, under such circumstances, promised careful consideration to certain territorial claims on their part, and express an undoubted belief that similar consideration will be given them by the Representatives of other Powers do, in fact, convey their intention to grant and to promote those measures, within reasonable limits, so far as lies in their power. That pledge, so far as we know, remains, down to the present time, entirely unredeemed; but there is yet time for us to redeem it. It certainly was not redeemed at the Congress, because the only record bearing upon it in the Protocols was a record of scruple and difficulty raised by the British Plenipotentiaries in respect to the territorial concession made by the Congress. Turkey has used every effort to evade it; but the result of the Congress is that we now believe that no one of the Continental European Powers is antagonistic to the claims of Greece. France labours, and has done so, energetically, consistently, and wisely, as well as generously, to promote them, and what is required to procure their complete success—their success, I mean, according to the intentions and spirit of the Congress—depends upon the conduct of Her Majesty's Government. In these circumstances I do not wish to give to this debate a polemical aspect. I do not wish, so far as I am concerned, to press the Government at a given moment to go beyond the limits they may think those which discretion requires them to observe; but I do wish to convey to them, and to the House, my opinion that the claims on the part of the Greek Kingdom and the Greek races is a very strong claim indeed. For a long time the people of this country, and even many hon. Members of this House, allowed the same Russian antipathies and apprehensions to prevail upon them with respect to the Hellenic populations of Turkey as prevail upon them still, to a great extent, with respect to its Slavonian populations. What I must call the cant of a section of persons was, that all these Greek and Christian populations of Turkey would fling themselves into the arms of Russia. Now, at length, we have got rid entirely of that superstition. It has at length come to be understood that there is something of an antagonism and a sharp, perhaps a too sharp, and unwise antagonism between the Hellenic and the Slavonian Christians of the Turkish Empire. There do exist very strong sympathies indeed between the Slavonian populations, and probably also the Armenian populations, and the Russians. But as regards the Hellenic races the case is altogether different. The field is altogether and absolutely open. You have nothing to deter you from entering. You are invited to enter by the obligations of the Treaty of Berlin, by the co-operation of France, and, I will venture to say, by the strong and general feeling of the British nation. I do, therefore, hope that the declaration of the Government to-night will be of such a character as my hon. Friend desires, and one that will give us some hope that they are about to act in this direction. I take it for granted that my hon. Friend is not weighted with a pedantic regard to the precise terms of the Motion. That would be very alien indeed to his character. I was glad to hear him say himself that what he had in view was the spirit of the Treaty of Berlin, and not the exact observation of a line which may have been drawn in haste. I trust, then, that either this evening, or on some future occasion, we shall have favourable assurances from Her Majesty's Government that they will endeavour to give a full, an early, an energetic effect to the Treaty, not with injustice to Turkey, but in the interests of Greece. The time that has elapsed for its fulfilment is too long. There is no justification for it, and it is, in my opinion, absurd to set up the pretext that there have been real justifying causes for a delay of nine months before a single step is taken to give effect to the recommendations of this Treaty of Berlin. Therefore, I hope that my right hon. Friend opposite, or the hon. Gentleman the Under Secretary of State for Foreign Affairs, will be able to give the assurances we desire to-night, in plain language that will satisfy the country, and will tell us that the subject has not been brought before the notice of the House with any undue degree of impatience. Ere long we shall look for a distinct and full account of the proceedings of Her Majesty's Government with reference to this important stipulation, for I must say that much of the happiness of the people of the East depends upon it, and much, also, of the honour and credit of our own country. I do not think it at all necessary that I should enter into detail upon all the topics upon which my hon. Friend and my noble Friend have dwelt so ably; but I entirely subscribe in substance, and I would almost say in detail, to the just and legitimate declaration which they made with regard to the present state and reasonable claims of Greece. No doubt there were expectations too sanguine and too high-flown at the time of the political regeneration of the country, and there is now a certain amount of disappointment. We must, however, look practically to the state of the country, and remember that great difficulties have been encountered. To one of these reference has not been made this evening—namely, to the unfortunate operation of the former system of government, under which the natural leaders of the people were driven out of the country, there was no aristocracy, and hardly any middle class, and foreigners, some of them not of the most sympathizing kind, came to take the direction of affairs, and a load of debt was hung like a millstone round the neck of the infant nation. But now the contrast is remarkable, for we have in Greece a free Press, an increasing population, a trade and a marine enormously augmented, a flourishing University—and, if I may venture to add a word on them, I would say that my noble Friend has done even less than justice to the extreme anxiety of the Greek people to obtain the blessings of education. There is also a regular, and it may also be a sound, administration of justice. At any rate, lately, when a most scandalous case of ecclesiastical corruption occurred, in the shape of a simoniacal election of Bishops, it was disposed of by the regular action of the judicial machinery of the country and the infliction of condign punishment upon the offenders. No doubt, the administration of justice is occasionally discredited; but I do not think that there is, upon the whole, anything to justify those general invectives and that ill-natured and unkindly criticism of the condition of Greece which has sometimes been indulged in. Those who think that cases of brigandage are sufficient to condemn the Greek nation ought to bear in mind the condition of England, and even of London, 100 years ago, and how long it was since highwaymen operated on Hay Hill. However, I do not contend that the civilization of Greece is effective for all purposes; on the contrary, the Greeks are behindhand, and have so much to do that their resources may be strained in the accomplishment of their objects. The Government will not give countenance, I hope, to coloured and unfair representations of the condition of Greece, but will join us in deprecating them. My hon. Friend having reminded the House of this most solemn pledge, given by the Government in the most solemn manner before the Congress, I hope they will consider the force and vitality of that pledge still existing, and that they will also consider the manner in which the character of England is tied to its redemption. If our obligations on that branch of the Eastern Question can be satisfactorily redeemed, I am quite sure that there is no Gentleman sitting on that side of the House, however pugnacious he might be, who would not at once gladly feel that he could but too well afford to drop one out of the category of our political differences. I am rather sanguine as to what we may expect from the Government on this matter; and no one will be better pleased than myself if their declaration will be such as to remove it out of our way.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I can assure the House and the hon. Member for Oxfordshire (Mr. Cartwright) that there is no feeling whatever on the part of the Government of objection to the course he has taken in bringing the matter before our notice. We have felt that the question naturally commanded the interest of Parliament, and that in the hands of the hon. Member it would be treated with knowledge and moderation; and we are conscious that he has for a considerable time exercised great discretion and consideration in not pressing the question forward at a time when it was inconvenient that it should be discussed. Now, on the part of the Government, I am not in a position, at the present moment, to enter into a full discussion of the large questions which are involved in this matter; but we have certainly thought that it would be improper on our part to check or to discourage any observations which hon. Gentlemen like the Mover and Seconder and others might wish to address to the House on a matter of such very great importance; and I only hope, if I am not able to speak on behalf of the Government with the same unreserve with which others have already spoken, it will not be understood that my inability proceeds either from any indifference or that it is owing to any desire to avoid a proper and full discussion of the question when it is ripe. The matter is now in a position in which it is by no means to be regretted that attention should be drawn to it in Parliament, but in a position in which it would not be possible for the Members of Her Majesty's Government to speak fully and completely. We wish to say that we feel, and have felt throughout these negotiations and throughout all these Eastern complications—we have felt that it was a matter of the greatest importance, in the interest of the general tranquillity in the East, as well as for the well-being of no country more than Turkey herself, that there should be a reasonable and satisfactory arrangement arrived at between Greece and Turkey. We have felt that it was a matter of great importance to the races of Europe—a matter of the greatest possible importance to Turkey herself—that there should be established something in the nature of a friendly relation, even if we could not expect it to be a very cordial one, between her and her nearest neighbour, and we have desired by every means in our power to promote and further any arrangement which might bring about that state of things. No one can look at the position of affairs and the relations existing between Greece and Turkey without feeling that any settlement of that character must be a settlement that would involve a rectification of Frontier, and would involve a concession on the part of Turkey of some portion of territory which might naturally be assigned to Greece. We have desired both in the earlier communications, and in the proceedings in the Berlin Congress, to assist and promote such an arrangement as might bring about that good feeling between them—a good feeling that must embrace on the one hand a rectification of the Frontier, and on the other hand some corresponding cordiality and readiness on the part of Greece to give assurances that might lead to friendly relations between her and her neighbour Turkey. Now, we have felt, and it was felt, I believe, at the Berlin Congress, that the best arrangement which could be made would be an arrangement which should be in the nature of a direct agreement between the two Powers. In the Conference there were, no doubt, certain direct lines indicated which would probably afford material for satisfactory settlement. In the 13th Protocol, to which reference has been made, the subject was brought prominently before the Congress, and something in the nature of a line was recommended and favourably received by the Representatives of the Powers, with the view of pointing out what concessions might fairly be made. If anyone will take the trouble to examine carefully the language of the recommendation, and examine also the map and geographical features, they will see there is a vagueness in the particular language used, and, probably, that vagueness was not unintentional. The recommendation does not mark out the precise line which should be drawn for settlement. It was the hope, and it has all along been the hope of Her Majesty's Government, that the arrangements founded upon and started from that recommendation, might be arrived at by a direct communication between Greece and Turkey, and it has been the earnest desire, and the best efforts of Her Majesty's Government have been directed, to promote and bring about a direct communication and agreement between the two Powers principally interested in this matter. We know that communications are still going on, and we are not without hope that some satisfactory result may be arrived at. But if those attempts which have been made to bring about a direct and satisfactory settlement between the Porte and Greece should, unfortunately, not be successful, then will arise the question whether the time has not come when the mediation which was proposed and indicated in the Treaty of Berlin ought not to take place. And, undoubtedly, if that should appear to be the only way left to promote a settlement, Her Majesty's Government will be ready to take their proper part as to the engagements into which they entered in the Treaty of Berlin. We believe the other to be the more excellent way of settling the matter if an agreement could be arrived at, and we do not altogether abandon the hope that it may be, though, no doubt, the question is one which involves a great deal of difficulty, connected as it is with questions of race and religion which are thorny and intricate. These are the considerations which have naturally led to delay and disappointment in the negotiations which have been set on foot, and from which, at one time, we expected better things. But I can, at all events, certainly say that the feelings and convictions of Her Majesty's Government are unchanged, for we believe that no proper settlement will be arrived at unless this great question is settled between Greece and Turkey themselves, and we are most anxious to promote in every possible way the establishment of friendly relations between these Powers. We do not all regret that the hon. Gentleman the Member for Oxfordshire has thought it right to raise this question. We certainly cannot complain of the language used in the course of this debate; but I hope the hon. Gentleman will not think it necessary to ask us to come to a vote on the subject. I think a vote would be embarrassing, and might be misunderstood. I hope he will be satisfied—as I gather my right hon. Friend the Member for Greenwich will be satisfied—with an assurance that this matter is one which is engaging, and will continue to command, the full attention and earnest sympathy of Her Majesty's Government, and that he will allow us to endeavour to bring about a settlement without the necessity of having any Division on the subject in the House of Commons.

Sir CHARLES W. DILKE said, he could not think that the statement of the right hon. Gentleman the Chancellor of the Exchequer would be in the least degree satisfactory to the House. The right hon. Gentleman had told the House that the convictions of the Government on this subject were altogether unchanged; but the House wanted to know what the convictions of the Government were? From documents, the authenticity of which could not be doubted, the Government were known to have taken up at various times wholly different and inconsistent lines upon this question, and the House wanted to know what line they were going to take up now and in the future, and what were the negotiations in which they were now engaged? The right hon. Gentleman had said that the Government were not in a position to enter on the whole discussion to-night; but he had given no reason for thinking so. He had not communicated to the House the present position of the negotiations. [The Chancellor of the Exchequer: I said they were going on.] Undoubtedly; but, according to the Government, negotiations had been going on for about nine months. The negotiations were of a very puzzling kind; for although the Government had not laid documents on the Table, they were being carried on in a very public way, for there were many who had seen French, Turkish, and Greek despatches on the subject, and knew from them what had been going on, but the despatches of England and Germany had not been allowed to see the light of day. During five and a-half months nothing was done, and Turkey, having gained so much time, afterwards proceeded to gain other three months and a-half by pretending to do something. He would venture to tell the House, as far as he could, what the negotiations now said to be going on really were. The Turkish and Greek Governments both sent Commissioners to meet each other. In spite of the refusal of a passage to the Greek Commissioners, in spite of their yacht being twice fired upon, in spite of a meeting-place being appointed which did not exist and which was described as near another place which had no existence either, in spite of all these difficulties the Commissioners did meet. At the first meeting, the Turkish Commissioners said they wished the Greeks to propose a boundary line. The Greek Commissioners very properly said their boundary was the boundary considered by the Powers at Berlin. The Turkish Commissioners said they could not negotiate upon that line, and there the negotiations stopped. After 35 days' delay the Turks telegraphed home as they pretended, and took three weeks to get an answer. Finally they produced fresh instructions, which were so ridiculous as to be not worth argument. It was proposed to give to Greece about one-sixth of the territory named in the Protocol. Turkey, so long ago as last September, informally but definitely proposed to give Greece a small strip of territory in Thessaly, so long as they would renounce any claim in Epirus. From that proposal they had made no advance. Greece had been driven to break up the Conference; and what chance was there of any settlement being reached without pressure from the Powers? The hon. Gentleman opposite (Mr. Bourke) had been in Paris, and he (Sir Charles W. Dilke) thought he must have heard there some very plain language. It was, he believed, highly probable that the hon. Gentleman was communicated with upon this subject, and that what he heard there was the gravest dissatisfaction in the French Government with the action of our Government upon it. When the French Chambers re-assembled, he (Sir Charles W. Dilke) would be astonished if a Motion were not brought forward, with the approval of the French Government itself, which would censure the conduct of the English Government on this question. The French Government had addressed a Memorandum to our Government, sounding them with regard to mediation. Was it not the fact that at present the sole difficulty in the way of European mediation was the obstruction of our Government—that every other Government was prepared for mediation, that France was strongly in favour of it, and that Italy alone had made its assent depend on what England might do? The Government were again putting pressure on the Porte; but were these negotiations of a kind to satisfy the House? The proposal of the Conference, it must be remembered, was in itself a compromise. It did not by any means give to Greece all she might have asked for. It gave up Crete without the Greek claims being so much as heard, and it gave up all chance of the establishment of a really natural boundary, which would have been the boundary of the Olympus range. Lord Salisbury's Circular, after he assumed Office as Foreign Secretary, indicated a wish to patronize the Greek claims—to run the Greeks against the Sclavs. That policy was largely supported, but it was altogether abandoned when the Congress met. At the first three meetings of the Congress it was still maintained in name; but it had been proved in debate in that House that the ultimate proposal, out of which all these difficulties had arisen, was the work of our Government. The reduction of the Greek Frontier claims to "the irreducible minimum" was the work of our Government, unassisted by any other Power. M. Waddington's first proposal was to give to Greece by the Treaty itself the Olympus range, her natural boundary. Ultimately a French proposal was accepted—a proposal reduced to the smallest limit by English pressure, and English pressure alone, which was continued until the very hour the Conference met, particularly in the interviews between Lord Beaconsfield and M. Waddington and Count Andrassy. There was another point which had been referred to before, but had not been mentioned that evening, and that was to the force of the word *inviter* in the Protocol relating to Greece. It had been inaccurately translated as meaning merely to "invite;" whereas the fact was it was one of the strongest words known to diplomacy. Her Majesty's Government had assumed all through that the word amounted to a mere recommendation to the Turks; but so far from being a mere recommendation, it was a most solemn declaration of the Powers of what they required Turkey to do, and he hoped Her Majesty's Ministers would regard it as such. The Chancellor of the Exchequer had said that the Government were not able to enter into the whole discussion of this Greek Question now, but surely there had been delay enough. Hon. Members on the Opposition side of the House felt that there was no more scandalous failure recorded in modern English history than the failure of our Government to maintain the claims of the Greeks in this matter; especially their action during the last 10 or 11 months as compared with their promises during the continuance of the war. It had been clearly shown by his hon. Friend the Member for Oxfordshire (Mr. Cartwright), from the Papers, what the character of those promises were, and how they were accepted by the Greeks; and surely, in these circumstances, it was not enough for the Chancellor of the Exchequer to come forward now and say he was not in a position fully to discuss the question, merely because negotiations were pending. Negotiations had been pending for nine months, and they might be pending for nine years or 90 years at the present rate, and we ourselves should not see the end of the controversies on the subject. The grounds of complaint on the part of Greece were well established. It had been shown that her existing boundaries had been spoken of as plainly cramping the development of the country; they did not give the country the means of living, as it were. It was the small extent of the Greek Dominion, and notably the way in which the boundaries were drawn, which prevented the late King Leopold from accepting the Throne in 1830. Another point that had been omitted was in relation to the town of Janina, respecting which the House ought to protest against the view of the Government that Turkey must be supported in holding out against its inclusion in the new boundary of Greece. He believed that when European pressure was brought to bear upon Turkey, as it would undoubtedly have to be brought, the question in dispute would be narrowed down to the town of Janina. The Porte would give way on everything except in regard to that single town. Now, if there was one point more important than another to which the Greeks must look it was the town of Janina, the home of the literature of the Greek race, the educational capital where a larger number of students were trained than in any other town; and it could not be left outside without leaving the question of the rectification of her Frontier still unsettled. Lord Byron spoke of it, in his notes to *Childe Harold*, as superior even to Athens in refinement and learning, and even in the purity of the Greek of its population. Sir Austen Layard, with his strong views, which he had consistently held for many years, could not be expected to express those opinions which he (Sir Charles W. Dilke) believed the great majority of the English people held with regard to the Greek Question. In a speech delivered in that House, not long ago, that Gentleman protested against the cession of Corfu to Greece, on the ground that it was Albanian and not Greek, and if ceded to any country, ought to have been handed over to Turkey. In the case of Janina, he endeavoured to prove that there was not a single Greek there; yet there were 39,000 male Christians in that villayet, and only 2,000 Mussulmans; and if, as he (Sir Charles W. Dilke), believed, two-thirds of the Albanians were Mohammedans, the Albanian population would be very small indeed. The deputation that was coming to this country spoke Greek, and one of them could not speak any other language; but as their expenses were paid by the Turks, he hoped that their views and their statements would not be seriously received in Paris or in the House. While saying that negotiations with regard to this Greek Question were still pending, Her Majesty's Government had all through kept the House in the dark to a most extraordinary and unprecedented extent with respect to the character of those negotiations. The patience of the House, in regard to the refusal of the Government to give information on that subject, was amazing. No doubt it was usual, when awkward Questions were put with reference to foreign affairs, for Ministers to refuse information while negotiating; but not when negotiations had been pending for so long a period as a year or more —the usual course in a case of that kind being to give information from time to time as the negotiations went on. The Government had not furnished Papers on this subject which could be of use to any human being. All that the Government had given was a mass of Blue Books, containing accounts of small outrages on single Mussulmen, while documents of importance relating to the Treaty of Berlin were kept back. It was monstrous that those documents should be kept back, and that the House should be kept in ignorance of what took place so far back as July, August, and September last. Hon. Members had, no doubt, become acquainted with the purport of some of these Papers, through the medium of the Press; but they had not obtained them from the Government. There were some German despatches, especially, which had still been withheld, although it was understood that they went in detail into the question of putting pressure on Turkey in regard to carrying out the provisions of the Treaty of Berlin and the Protocols of the Congress. The House, therefore, had reason to complain of the way in which information had been withheld. There was the promise of the Government before the Congress met that Greece should be represented at the Congress; then there was their action in the first two or three meetings of the Congress when they pretended to press the Greek claims; and then there was great delay until the 13th meeting before those claims were brought forward. Then, as they all knew, it was the British Government that cut down the claims of Greece and sheared them into the form they afterwards presented. From this they might judge what was likely to be the conduct of the Government in future. [Mr. Assheton Cross: No, no!] Last year the right hon. Gentleman opposite said "No, no;" but the statement which he contradicted was declared to be true by the Leader of the House. Lord Beaconsfield and the English Plenipotentiaries cut down the claims of Greece as presented by M. Waddington. Looking at these circumstances, it could not be believed that Parliament would be acting wisely in trusting the Government with unlimited discretion on this subject. If the Government were left to follow their own devices months more might be consumed in these delays, and at the end of months and years the question might be no nearer settlement than at the present time. Our Government alone stood aside, or actually placed themselves in opposition, and it was for the House to tell them that it was now time that opposition should cease, and that they ought to join in mediation with the other Powers.

Mr. MONK said, he cordially agreed with the concluding remarks that fell from his hon. Friend the Member for Chelsea (Sir Charles W. Dilke). Nothing, in his opinion, could have been more unsatisfactory than the reply given by the right hon. Gentleman the Chancellor of the Exchequer to the appeal of the right hon. Member for Greenwich (Mr. Gladstone). As the Forms of the House prevented him (Mr. Monk) from moving the Amendment to the Motion of the hon. Member for Oxfordshire (Mr. Cartwright), which he had placed upon the Paper, and which ran as follows:—

> "That, in the present circumstances, and having regard to the state of the relations between Turkey and Greece, it is essential that Her Majesty's Government should concur in the direct mediation of the Great Powers with a view to the early solution of the question of Frontiers between Turkey and Greece,"

he desired to take that opportunity of stating his views on the question before the House. He agreed with the right hon. Member for Greenwich (Mr. Gladstone), that whatever might be the views of private Members on the question of the rectification of the Græco-Turkish Frontier, the only safe standpoint for Parliament and the country was the basis laid down in the Protocol of the Berlin Congress. For his part, although he considered the Protocol fell far short of meeting the justice of the case, and although he deplored the feeble policy and faltering steps by which the 13th Protocol was arrived at owing to the backsliding and egotism of Lord Beaconsfield, yet he unhesitatingly, though reluctantly, accepted the decision of the Congress; and he ventured to submit to the House that the time had arrived —many thought it had arrived long ago —when the machinery provided in that Protocol should be set in motion. At the same time, he did not abate one iota of his complaint that the interests of Greece had been cruelly neglected by the Premier at Berlin, when in his jaunty manner he informed the world that States, like individuals, which had a future, were in a position to be able to wait, and when he expressed his conviction that Greece and Turkey would proceed to a rectification of their Frontier, and so get rid of a cause of disorder, and secure a lasting peace. Could any prophecy be more absurd, or less likely to be fulfilled? Fortunately, the other Plenipotentiaries took a more sensible view of the difficulties of the case, and insisted on a proviso to the effect that the Powers were prepared to offer direct mediation. The object of M. Waddington, in his very moderate proposal, was to secure for Turkey, as well as for Greece, a condition of internal security and prosperity. Greece, said the French Minister, could never prosper within her present limits; or, in short, without the Gulfs of Arta and Volo and the adjacent territories. Even Lord Beaconsfield admitted that in the eye of every statesman the Frontier of 1831 was a danger and a disaster, as well to Turkey as to Greece, and was conducive to brigandage. And yet he not only refused to acquiesce in the first proposal of France that Thessaly and Epirus should be ceded to Greece; but he declared that he looked upon the more restricted boundaries of the valleys of the Salamyrias and of the Calamas as open to discussion, and at length withdrew his opposition to that more modest proposal in the most ungracious manner, only because he found himself to be in a hopeless minority on the subject. The noble Lord, however, expressed his hope, and even his conviction, that an equitable solution of the question of Frontiers would be accepted by the Sultan. Hitherto, his hopes had been unfulfilled. The present state of affairs was so unsatisfactory that, for the sake of Turkey as well as of Greece, it was incumbent on the Powers to exercise direct mediation. He (Mr. Monk) agreed with the hon. Member for Oxfordshire (Mr. Cartwright), that the boundary proposed in the Protocol was the least that Greece had a right to expect; and he thought that by such mediation Turkey might be induced to submit to the views of the Great Powers as expressed in the Protocol. But whatever might be the result of mediation, it would be infinitely preferable to the existing state of things. He wished to remind the House that Greece had deserved well of the Great Powers, and especially of England. At the request of the Government, Greece withdrew her troops when about to cross the Frontier, and refrained from attacking Turkey, when the Sultan was engaged in a death struggle with Russia. On the faith of British promises, Greece kept back her Army, and repressed disorders on the Frontier. In return for this, all that England had done was to obtain a hearing for Greece at the Congress; and when Greece looked to England for support, a deaf ear was turned to her, and she was left to threw herself into the arms of France. He honoured France for opening her arms to receive her; while he regretted to say not a word of sympathy fell from Lord Beaconsfield's lips. Well might Greece exclaim—"Save me from such friends!" By this neglect of the interests of Greece, this country sacrificed a friend; nay, more, it lost the friendship of a race, which in days yet to come might prove of far more use to her than Turkey was ever likely again to be. Great was the dissatisfaction felt in this country at the action of our Representatives at the Congress at Berlin in respect to Greece—and great would be the dissatisfaction at the speech of the Chancellor of the Exchequer, when it was read in the papers to-morrow. It was a grievous mistake to allow an opportunity of redressing a grievance, which had existed since 1831, to slip from our hands at the Congress. Whatever territorial changes were to be made ought to have received the sanction of the European Congress. It was a gross blunder to postpone the question of the rectification of the Græco-Turkish Frontier; it was a still greater blunder to leave so difficult a problem to be solved by hereditary foemen. He would ask the House whether it was for the interest of Europe, or of this country, that a burning question like this should be left longer unsettled, or left to the chances of separate diplomatic action? It was true that Greece had a future, as she had had a past. There was life, and energy, and an unconquerable love of freedom in the breasts of the Greek populations in Thessaly and Epirus. It was useless to attempt to repress those feelings which prompted them to union with Greece by maintaining a boundary line which had been condemned by every European statesman during the last 40 years. "Annex those populations to Greece," said M. Waddington, "they will be for her a source of strength, while they are but one of weakness to Turkey." He hoped that the Government would, in the interests of both those countries, accede as soon as possible to the joint intervention of the Powers with a view to a final settlement of the Frontier Question.

Mr. BAXTER remarked that a good deal had been said about Greece having a future. He not only believed in a great future for that country, but he had been persuaded for a long time that the whole policy of England—he did not say the recent policy, or the policy of the present Government alone—had for years past been consistently and persistently to ignore that future. Now, he was not one of those who were constantly finding fault and expressing nothing but dissatisfaction and disappointment at the Treaty of Berlin. No doubt that Treaty had its faults, and in one particular, the particular referred to that evening—namely, the question of Eastern Roumelia and the Balkan fortresses—he believed that the Government would find that it would be perfectly impossible to carry the Treaty into effect. There might be other blemishes; but he said now what he had said over and over again in the country—that it was a great step in advance of the state of things before. It was an enormous improvement upon the *status quo ante.* Treaties were not like the laws of the Medes and Persians, which could not be changed. There might be improvements; alterations might be effected in that Treaty; but his contention was that the blow dealt at the Ottoman Empire at Berlin was so severe that civilization and humanity might well rejoice that it would never recover from it; and the Plenipotentiaries at Berlin, however they might like it, would find their names going down to posterity as having done everything in their power to destroy the independence and integrity of the Turkish Empire. Reference had been made to several books on Greece; but in all that had been said no allusion had been made to a work which had been recently issued under the title of *New Greece.* In that work the writer, Mr. Lewis Sargeant, declared that the whole spell of the Porte had been broken, and demonstrated the impossibility of rehabilitating the Turkish power in Europe. In that view he (Mr. Baxter) entirely concurred. But, he would ask the House, was not this the exact "bag and baggage" policy of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone)? He supported the Motion of his hon. Friend, because it was the very least that they could do for Greece, and because he expected that if the recommendations of the Berlin Congress were not carried out to their fullest extent, they need not look for tranquillity in that country. He confessed that he would go much further. He did not believe in the adequacy of the concessions that had been granted, nor in the permanency of the Frontier, because the Hellenic element was predominant, and he believed would assert its nationality very far beyond. He had long felt that not only the Government, but the country, had not been sufficiently alive to the position and prospects of the Kingdom of Greece—a Kingdom which he believed it to the wisest policy on the part of this country to strengthen and extend in every possible way, whatever might happen to the tottering Ottoman Empire. It was surely high time, after all they had heard on the subject, for giving up and abandoning for ever the tradition, he might call it the superstition, that the Ottoman Empire was of the slightest use to Great Britain. Surely their true policy ought to be to support and do all they could to strengthen not a small disunited Bulgaria, but a large Bulgaria on the Danube, and on the Ægean the Kingdom of Greece, which would be a far more powerful barrier against Muscovite aggression or Northern ambition than any tottering Mohammedan Power. Reference had been made that evening to the policy of Canning, who called a new world into existence to redress the balance of the old. Well, could anyone read the history of that time without coming to the conclusion that Mr. Canning had no belief in, and no admiration for, Russia, nor any belief in her designs? At the same time, all through his despatches they saw that it was Mr. Canning's firm belief that Great Britain ought to take the lead in Eastern policy on behalf of the rising nationalities, to give up the delusion that we had anything to get from Turkey, and that we ought to be jealous of Russian power, and so compel those nationalities to throw themselves into the arms of the Czar. He thought the country was scarcely aware how very grievous were the errors committed by the Powers of Europe, and especially, he was sorry to say, by England, all through the history of Greece, from the breaking out of the insurrection to the time when King Otho was sent away. Notwithstanding that, everyone who had travelled in Greece knew that the Greeks had a very kindly feeling towards this country. They knew that we sympathized with them in their great struggle, for we had not only done that, but we had sent them arms and money, and whether the battle of Navarino was a blunder or not, every Greek knew it was, at least, the heaviest blow struck in favour of Greek independence. Nor had they forgotten the kindly part which England took at the time of the change of dynasty, and the cession of the Ionian Islands. What he would say was that the Government had had a golden opportunity lately to strengthen the good feeling of the Greeks towards this country, and to obliterate the recollection of former mistakes. But no one reading the Blue Books could fail to come to the conclusion that Lord Beaconsfield followed the example of Lord Castlereagh, and that in 1878 was done precisely what was done in 1821. They all knew that the British Government were alone responsible for the recall of the Greek Army; and that being so, he was extremely sorry that the Government had not, at the Berlin Congress, used their utmost endeavours, not by recommendation, but by distinct provision, to obtain for Greece as much territory as she would have obtained for herself by force of arms. Undoubtedly, the greatest blunder made in connection with Greece was the narrow limits within which she was confined. When the Throne was offered to Prince Leopold, he wrote to Lord Aberdeen, pointing out that it was not worth while to take the Kingdom unless Epirus and Thessaly and the Island of Crete were annexed. He supposed that no one who knew the country would deny that its chief requirement was a very large extension of territory, and his impression was that the extension proposed by Prince Leopold was the very least that could be accepted. For his part, he would go a great deal further, and say that he should gladly see annexed to Greece every contiguous Province and every adjacent island in which the Hellenic element was predominant, and which might exhibit a wish to be so annexed to what might be called the Fatherland. He was perfectly persuaded that when they should see Greece with 2,000,000 or 3,000,000 more inhabitants, with added provinces and harbours, they would then be much nearer the solution of the Eastern Question than they were at present. For these reasons he cordially supported the Motion of his hon. Friend.

Mr. SHAW LEFEVRE said, that, having listened carefully to the remarks of the Chancellor of the Exchequer, he was free to admit that, in its general tone, the speech of the right hon. Gentleman appeared to be more hopeful for the future than the observations which had been recently made in "another place" by the First Minister of the Crown. At the same time, the language of the right hon. Gentleman was so vague, and conveyed such little information, that his speech could not be regarded as a satisfactory solution of this question. No one could read the promise made by Her Majesty's Government to the Greek Government without coming to the conclusion that they intended most definitely to take a leading part in the Congress of Berlin as a friend of Greece. When, however, Her Majesty's Ministry entered the Congress, their convictions underwent a marked change on that subject. Although the conclusions of the Congress were, at the instance of Lord Beaconsfield, to be treated as mere declarations of advice on the part of the Powers to Turkey, yet, after his return from Berlin, he spoke in the House of Lords of those conclusions as if they were *faits accomplis*. He was, therefore, rather surprised to hear that the feelings and convictions of the Government on this subject were now what they always had been, because it occurred to him that their policy had undergone three changes; and he thought it would be satisfactory if the Under Secretary of State for Foreign Affairs would, before the debate closed, tell the House and the country which of the various phases of feeling and conviction animated Her Majesty's Government now. As to Crete, it was quite true that terms were agreed upon between the Cretans and the Turkish Government—he believed through the intervention of Her Majesty's Consul at Crete—which conceded to the Cretans for the first time some important changes for which they had long asked, although they would infinitely prefer, he believed, union with Greece. They obtained first a proportional representation of Christians in their local Assembly. In the second place, it was conceded to them that they should have a Christian Governor for a definite period of years; and, thirdly, that in the local Militia there should be Christians in proportion to the Christian population. How were those three provisions carried out? Christians had been elected to the local Assembly by a very large majority, and the Assembly had proceeded to make very important changes in the law; but those changes had not been admitted as valid by the Governor of Crete, who had referred to the Government at Constantinople. Months and months had passed without a ratification of the changes made by the Assembly. With regard to the second point, although a Christian Governor had been appointed to Crete, the arrangement that he should continue in that office for a definite period of years had not been carried out, for he had been promoted to the office of Foreign Minister of Turkey. As to the third important question—the local Militia—he was told the arrangement had not been carried out, and that they were still Mussulmans, the only change being that an English officer had been put at the head of the *gendarmes*. He was sorry to say, from all the accounts he had received, that the state of Crete at this moment was as bad as ever it had been. Turning now to Thessaly and Epirus, he would ask what had been going on there since the Congress at Berlin? He was informed that the Turkish Government had poured a very large number of troops into these Provinces, had armed the Mussulman population, and induced the Mussulman Albanians to go there, so that if the Great Powers were to force Turkey to give the Provinces to Greece, there might be an insurrection of the Mahomedan population. He had quoted these facts to show that time was an important element in the matter, that there should be no longer any delay, and that the Government should not be satisfied with mere words, but should proceed to action. Unless the Government, in concert with the other Great Powers, undertook to impose the will of Europe on Turkey, nothing could or would be done. It might be asked what right had Europe to impose her will upon Turkey? The answer was, the same right that Europe had to impose any of her wishes upon Turkey. When the question of giving up Bosnia and Herzegovina to Austria arose in the Congress, Prince Bismark said that the Congress had met, not for the purpose of securing to Turkey certain geographical positions, for the maintenance of which the Porte might be anxious, but in order to preserve the peace of Europe; and he went on to say that, as Turkey had secured by the action of the Congress the beautiful Province of Eastern Roumelia, it was only fair she should concede to Europe the Provinces of Bosnia and Herzegovina. It was the right and privilege of Europe to insist that justice should be done to Greece in this matter. And not only was it necessary that these two Provinces should be added to Greece, but, in his opinion, all the Greek Provinces and the Greek Islands should follow in the same direction.

Sir WILLIAM HARCOURT said, he wished exceedingly that the Chancellor of the Exchequer had found it in his power to make a more satisfactory reply to the very moderate and persuasive appeal of his right hon. Friend the Member for Greenwich. He did not think it was possible that an appeal could have been made in a manner more likely to have met with acceptance than in the language employed by the right hon. Gentleman. But no answer had been given which the House or the country could understand, or to which Europe could attach any meaning whatever. The view of the Chancellor of the Exchequer was a very singular one. The right hon. Gentleman thought that discussion in the House was desirable; but he did not think it desirable that the Government should say anything. But what was the use of the House discussing the question except to obtain an expression of opinion from Her Majesty's Government? Everyone knew what the opinion of the House was. The expression of opinion to-night had come exclusively from the Liberal Benches; but they had heard nothing, not even a word of dissent, from the Conservative Benches. What was really wanted by the House, the country, and by Europe, was to know what Her Majesty's Government had done or were doing, or what they intended to do in regard to this question? On that subject not one word had they been able to extract from the Government. The Chancellor of the Exchequer said that they adhered to their convictions. But it was impossible to ascertain what the convictions of Her Majesty's Ministers were, for they refused Papers, and when asked for explanations, gave none. The nearest approach to a definite statement was when the Chancellor of the Exchequer said that the Government were in favour of a rectification of Frontier. Of course they were; so were the Turks; but the question was what rectification of Frontier were the Government in favour of? They would continue to ask the question until they got some answer. When Lord Beaconsfield returned from Berlin, he said he was for the plan of the Congress; that it was our plan; that it was proposed by the English Plenipotentiaries, and adopted by the Congress; and that it secured to Greece an opportunity of obtaining a larger accession of territory than any of the rebellious Provinces had got. Everybody knew what the French Government thought of the policy of Her Majesty's Government, and what the French Government papers were saying about it, and that Europe was complaining that England was acting under the influence of Turkey to stave off the settlement of the question. What was the question which was at issue between Turkey and Greece? It was whether Turkey was to give up Epirus or not. Turkey was ready to give up Thessaly, but would not give up Epirus. What he wanted to ask Her Majesty's Government was—Whether it was their opinion that Turkey ought to give up Epirus, and if so, what were they doing to bring it about? That was a definite question to which a definite answer could be given. It was said the plan of England was the plan of the Congress. Yes; but what was the way in which England cut down the proposals of France? France proposed to give a much larger territory to Greece; but it was through the influence of England that the territory was cut down. It was in that sense that the plan of England was the plan of the Congress. That was the minimum, and now England was minimizing that minimum. After Lord Beaconsfield had delivered the speech to which reference had been made, he said that the English plan was a suggestion of the French Plenipotentiary, and that it was one which bound nobody. That meant that Turkey would have the encouragement of England in saying that she would not be bound by the Congress. The language of the Chancellor of the Exchequer to-night, though milder, came to very much the same thing. The right hon. Gentleman said there was "something like a line" drawn in the Congress. After all, this settlement which was to give peace to Europe had been defined by the Chancellor of the Exchequer to-night as "something like a line." Moreover, the right hon. Gentleman admitted that the language of the Congress had a vagueness, and he added that, no doubt, it was an intentional vagueness. Imagine the astuteness of statesmen who, according to the right hon. Gentleman, deliberately employed language of vagueness. What could it end in but confusion and war? How could it be expected that Turkey and Greece would settle this question when language of this kind was held? He did not know where the right hon. Gentleman borrowed the theory of intentional vagueness. In the negotiations preceding the Treaty of Washington, an unhappy phrase was used which led to the setting up of the Indirect Claims, and Mr. Montague Bernard said the words employed were selected on account of their intentional vagueness. This was not thought a very fortunate thing at the time; but the plan seemed to have been transferred by Her Majesty's Government from the Treaty of Washington to the Treaty of Berlin. On returning from Berlin the Prime Minister said Greece was going to get as large a territory as the rebellious Provinces. Those Provinces got their territory, whether it was large or small, because they rebelled; and, consequently, the English Plenipotentiaries at the Congress did not, and could not, suggest that their claims should not be made obligatory on Turkey. Greece, however, did not rebel. [Lord JOHN MANNERS: She could not rebel.] He admitted the inaccuracy of the phrase; but, at all events, Greece might have gone to war. Therefore, he did not see that the quibble of the noble Lord the Postmaster General mattered much. He (Sir William Harcourt) thought Greece must very much regret that she had taken the advice of the Government, because if she had not done so, and had taken part in the struggle, it was perfectly certain she would have been in as good a position as that of the rebellious Provinces. She would have got what the rebellious Provinces had got, with an European guarantee binding upon Turkey. Now she was told, in a contemptuous phrase, that the plan of the Congress was only a French suggestion, binding nobody. Could it be wondered at that the people of Paris were indignant about that statement? What was that but an invitation to the Turks to persist in their obstinacy? Why did not the Government show one single step that they had taken from first to last to maintain the claims of Greece? If they had got any proof that they had been doing anything effectual for Greece, what reason was there why they should not come forward and satisfy the country and Europe that they had really been endeavouring to support, even moderately, the claims which they had put forward as having been approved of by them? It seemed to him that the Government had a most weighty responsibility for having proposed so foolish a scheme as that Turkey and Greece could settle the matter themselves. Suppose anybody recommended the Marquess of Salisbury to rectify the frontier of Hatfield with his next neighbour! Of course he would decline, and he did not wonder that Turkey declined. They had rectified the Frontiers of Servia and Montenegro, because they had the machinery for doing it; but how could they expect Turkey of her own accord to recognize a line which was "something like a line," and to observe language which was intentionally vague? The plan adopted by Her Majesty's Government was the one most calculated to lead to war. He was glad the present discussion had been raised, because, although it had extracted no satisfactory information from Her Majesty's Government, it had proved that the Party on that side of the House were not unfaithful to their traditions. They had maintained the honourable position which England held before the world as the Emancipator of Greece. Mr. Canning commenced, and Lord Palmerston continued, that great work; and although hon. Members on that side of the House did not possess the power to give effect to their traditions, they had shown by the protest entered to-night against the policy of the Government that they were not forgetful of their great inheritance.

Lord JOHN MANNERS said, the hon. and learned Gentleman who had just spoken had concluded with an appeal to the shade of Lord Palmerston; but he (Lord John Manners) ventured to doubt whether, had Lord Palmerston been alive the year before last, he would have taken the course which the hon. and learned Gentleman fancied. The hon. and learned Gentleman had made a very vivacious attack on Her Majesty's Government for their alleged reticence on the present occasion. It was no new thing, however, for Ministers charged with great responsibilities to be very reticent about negotiations that were still going on. The hon. and learned Gentleman knew that negotiations were at this moment in progress on the very subject now under consideration, and yet he taunted the Chancellor of the Exchequer and the Government with not giving the House the most precise details concerning these negotiations up to the present moment of time. The hon. and learned Gentleman had had some experience of public affairs, and yet he had made charges against the Government, which he would never for one moment have tolerated if made against a Government of which he was a Member. The hon. and learned Gentleman must know that for the Government to give this minute information would not only be a departure from their duty, but that it would imperil the success of these negotiations themselves, and do an ill-service to that country of which the hon. and learned Gentleman now appeared as the advocate, if not the organ. Again, he would say not only would declarations of that sort have a very prejudicial effect on the negotiations which were pending and on the interests of Greece, but also on the spirit and temper of Turkey. It was all very well for the hon. and learned Member to put Turkey entirely out of the question, and to say that England had nothing to do but to impose her will on Turkey. But that was not the view of Her Majesty's Government. That was not the view of the House of Commons, and he ventured to say it was not the view of the people of England. And when the hon. and learned Gentleman went on to say that the conduct of the Government was censured and denounced in Paris, and opposed by the feeling of the whole of the Governments of Europe, he ventured to tell him, with all due respect to him personally, that he was speaking of subjects of which he showed that he knew nothing. So far was that from being the case, that in the matter of Greece Her Majesty's Government were acting in cordial concurrence and concert with the Great Powers of Europe; and the vision which the hon. and learned Gentleman had conjured up of an indignant Europe reprobating the insane conduct of England was one of those chimeras with which audiences out-of-doors might occasionally be amused, but which was unfit for the severer atmosphere of the House of Commons. The hon. and learned Gentleman had referred—and referred with great propriety—to the moderate and statesmanlike speech of the right hon. Member for Greenwich (Mr. Gladstone), a speech certainly in marked contrast with the hon. and learned Gentleman's own; and the hon. and learned Gentleman said to his right hon. Friend the Chancellor of the Exchequer—"How, after hearing such a temperate, moderate, and statesmanlike speech from the right hon. Member for Greenwich, could you fail to give an equally moderate and statesmanlike answer?" Well, he thought that the House and the country would be of opinion that the reply of the Chancellor of the Exchequer was couched in precisely the same tone and spirit as those which had animated the right hon. Member for Greenwich. He did not venture to draw any decided conclusion from the absence of the right hon. Member for Greenwich at the present moment; but, as that right hon. Member had not been in the House since the Chancellor of the Exchequer spoke, it was not altogether unfair to assume that he did not view his right hon. Friend's speech with the same marked disfavour as it had pleased the hon. and learned Gentleman to bestow on it. He did not pretend to speak with the same authority as the hon. and learned Gentleman for the Governments of France and of united Europe; but, notwithstanding the hon. and learned Gentleman's taunts, he believed that the people of England would not be disposed to regard with dissatisfaction the statement of his right hon. Friend—namely, that the suggestions made with respect to Greece and embodied in the 13th Protocol of the Congress of Berlin now formed, as they had for some time past been forming, the subject of negotiations between this country and those who were most intimately interested in it, and that Her Majesty's Government hoped that they would be brought to a successful and permanent issue.

Question put.

The House *divided:*—Ayes 63; Noes 47: Majority 16.—(Div. List, No. 64.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

ROYAL PARKS AND PLEASURE GROUNDS.—OBSERVATIONS.

Mr. DILLWYN said, that in order to criticize the items of expenditure charged for the management of the Royal or Public Parks or Pleasure Grounds, it was necessary that the particulars should be included in the Account furnished annually to Parliament, instead of their being hid away in the Revenue Accounts of the Department of Woods and Forests. He was of opinion that Public Expenditure, so far as it related to the present subject, should be dealt with in the same manner as the expenditure relating to the estates of individuals. Supposing a nobleman or gentleman were to set aside any portion of his estate for the purposes of amusement, either for himself or others, the charge for maintaining that unproductive portion of the estate would all be put down to personal expenses, while, with regard to the remaining portion, from which income was expected to be derived, a land agent would be employed who would simply charge a commission for management. Now, he (Mr. Dillwyn) ventured to think that if it was found that the particular part of the property from which income was expected to be derived was, from year to year, bringing only loss, and costing instead of producing money, the owner would very soon make a change in the management of that Department; he would either not put it down as a source of income, or he would change his agent, or else change his mode of managing that part of the estate. If, on looking into the matter, he found that the estate was unproductive because he wished to retain it for amusement, he would certainly not class it as a source of income, but as a personal expense. That was exactly what he (Mr. Dillwyn) thought should be done in the management of

Public Revenues. To a certain extent our Parks and Public Buildings were estimated for, and when the money was voted hon. Members had an opportunity of criticizing details, and of seeing why the money had to be expended. We had placed certain portions of the National Estate under the Department of Woods and Forests, which might be considered our land agency for collecting the rents and handing over the balance due to us; but their Accounts, instead of giving the items and particulars, gave little more than the gross receipts and payments. It appeared that the balance of the land revenue, returned by the Commissioners of Woods and Forests, amounted, in rough figures, to the large sum of £500,000 a-year. The management of the Parks and Forests was under two heads, and he thought that the latter Department—namely, that of the Royal Woods and Forests, could, if we chose, be made productive property, returning a large revenue. It appeared, by a Return of the Commissioners of Woods and Forests, relating to the New Forest, Forest of Dean, &c., that the gross sum received for these properties amounted to £28,352, while the cost of management was £20,302, and that the balance which was therefore left to our credit amounted to £8,050—a very small amount of credit for all that property, which might be made to return a much greater amount. He did not, however, wish this property to be thus utilized, as he was in favour of retaining them in their present state; but he could not understand why these estates should be placed under the Commissioners of Woods and Forests, for it was a matter of importance to know how the great outlay for their management arose. He therefore thought that these items of expenditure should be brought under the cognizance of the House, and charged annually among the Estimates for the maintenance of Parks, by which an opportunity would be afforded of knowing whether the amounts were rightly and properly charged. He wished particularly to direct the attention of the House to the management of Windsor Park and Woods, which was placed under a separate head, and which resulted in a yearly loss of £20,990; the receipts for last year being £5,977, while the expenditure amounted to £26,968—an enormous sum of money to spend upon one Park. He did not at all mean to say that the money was improperly applied, nor did he wish that Windsor Park any more than the Public Forests should be utilized and made the most of in a business point of view, still less did he wish to see the Royal pleasure or convenience interfered with; but he did say that the Park and Forests should be economically managed, and that hon. Members had a right to know whether such was the case. He could not help thinking that there must be some waste in the management of Windsor Park, which, though a large acreage, cost the large sum of £21,000 a-year. He wanted to know how that money was spent, and maintained that the charge ought no longer to remain in the Accounts of the land agents, as he might call the Commissioners of Woods and Forests, but that it ought to be brought before the House every year in the Estimates. This was his contention, and he urged it most respectfully upon the House and the Government. It was not his intention to take a Division on the Motion, because it was quite impossible at that time of the Session to alter the Account in the manner proposed; but he hoped the Government would see the propriety and necessity of what he had suggested, and frame future Estimates accordingly. He could never see why Hyde Park, Kensington Gardens, and Regent's Park should be put into the Estimates, while Windsor Park was excluded. He had asked for a Committee to investigate the annual Estimates before their consideration by the House; but it had been declined. There was, therefore, all the more reason that care should be taken to have the Estimates laid before the House in a business-like and proper manner. If Her Majesty's Government could give any good or sufficient reason why Windsor Park should be dealt with differently to the others, he should be satisfied; but if not, he trusted that some assurance would be given that an alteration would be made next year. As he was precluded by the Forms of the House from dividing upon his Amendment, he would only read the terms of his Motion—

"That, in the opinion of this House, any Royal or Public Park or Pleasure Ground which is unremunerative by reason of its being used for purposes of recreation or ornament should be placed under the control of the First Commissioner of Works, and the amount required for its maintenance included in the annual Estimates for Parks and Pleasure Grounds, instead of (as in the case of Windsor Great Park) being placed under the Revenue Department of Woods and Forests."

He concluded by emphatically repeating that he had no wish to curtail anything relating to the Parks that were used for Her Majesty's pleasure or convenience, or in any way to encroach upon what was retained for the public enjoyment.

CUSTOMS REORGANIZATION.

OBSERVATIONS.

MR. RITCHIE said, that as the Secretary to the Treasury could but speak once, it would be for his convenience that he (Mr. Ritchie) should, in the terms of his Notice, call attention to the delay which had taken place in the issue of the scheme for the reorganization of the Customs. The officers in that Department entered the Public Service on exactly the same conditions as the officers in the other Departments; but, for some reason or other, their salaries were 30 per cent less. Since 1873 they had sent in Memorial after Memorial, praying to be in that respect put upon an equal footing with the others, and they had been told that their claims should receive the consideration of Government; but, owing to the changes which had taken place in the Treasury, and owing to the death of the late Chairman of the Customs, the scheme for carrying out the recommendations of the Playfair Commission had been delayed. Hopes were held out last year that a settlement of the matter was at hand. This Session, on the 27th of March, when he questioned the Secretary to the Treasury upon the subject, that hon. Gentleman told him that the principle of the scheme had been agreed to, but that some little time must elapse before the details could be settled. On the 3rd of April he again questioned the hon. Gentleman on the subject, when he was told by him that not only did these details remain unsettled, but that larger details had since arisen which required further consideration, and he now urged upon him to tell the House what those greater details were, and why they had not been considered and settled.

MR. ANDERSON joined in the complaint of the hon. Member for the Tower Hamlets (Mr. Ritchie), and pointed out that there was at Glasgow a large Customs establishment in which great complaint was made of the delay that had taken place, the members of that establishment being perpetually waiting for a scheme which never seemed to come to a head. He privately asked the Secretary to the Treasury on several occasions what was going to be done, and he had received promises and assurances that there should be very little longer delay. Those assurances he had communicated over and over again to the gentlemen who were connected with the Customs in Glasgow, until at last they seemed to regard anything he told them as simply absurd, because they had been deceived so often and for so long in what appeared to be their reasonable expectations. He hoped the Government would give some attention to the matter, and allow no further delay to take place.

SIR HENRY SELWIN-IBBETSON said, he would, in the first place, reply to the hon. Member for Swansea (Mr. Dillwyn). The question was one that had been raised before. He would remind the House that at the time of the settlement of the Crown Lands, in the reign of George IV., provision was made for passing all the surplus revenues to the Exchequer after the payment of expenses. But by a later Act (14 & 15 *Vict.*) a certain number of the Parks were passed from the control of the Woods and Forests to that of the Board of Works. No such provision, however, was made with regard to Windsor Park, the reason being that Windsor Park was looked upon, to a certain extent, as a part of the Royal residence. Although the expenditure referred to had been in excess of the receipts, it should be borne in mind that this case was exceptional, and that in all others the receipts exceeded the expenditure. It should also be remembered that a very large proportion of the expense complained of was incurred in the interests of the public, and out of the £26,000, £11,500 was really incurred in the maintenance of the public roads in Windsor Park. The amount was not so excessive. Under the good management of the Woods and Forests, the revenue had increased so as to be far in excess of the Civil List, and had, in fact, amounted to more than £410,000. The change advocated by the hon. Member might possibly reduce the cost somewhat; but it would be at the expense of the interests, not of the Crown, but of the public. With regard to the remarks of the hon. Member for the Tower Hamlets (Mr. Ritchie) as to the reorganization of the Customs, he quite admitted that this question could not be much longer delayed. It was one which had been under the careful consideration of his Predecessors; but the delay was not entirely the fault of the Treasury. It was long before a good basis for reorganization was found; but a scheme had now been suggested by the Customs themselves, which was receiving the full attention of the Government. It could not, however, be settled in a moment, because each branch of the Department had to make a Report stating the number of clerks required in different grades, and the reason for requiring them. They had not yet received all those Reports; but he believed that it could not be long now before the scheme was completed and inaugurated to the satisfaction of the Service.

Mr. RYLANDS: The remarks which my hon. Friend the Secretary to the Treasury has offered relate, for the most part, to matters not at the present under discussion. I daresay it would be a very interesting discussion to go into the whole subject of Woods and Forests, and their management. There was a very strong impression that the Woods and Forests do not produce as large a revenue as they might produce under still more efficient management than that which prevails at the present moment. But that is not the point. The point is this:—My hon. Friend the Member for Swansea (Mr. Dillwyn) called the attention of the House to this fact, that we are paying for Windsor Park a balance of £21,000 a-year in charge. Now, it is no answer that, under the settlement of the Civil List, the Crown had surrendered the full amount which previous Sovereigns had, because that is not disputed. We admit at once that the arrangements under which Woods and Forests are administered are entirely legal, and we admit that the Act of Parliament to which the Secretary to the Treasury has alluded, by which certain Parks were transferred to the Board of Works, did not include Windsor Park—we all admit that. This is quite a sufficient justification of the Secretary to the Treasury not inserting in the Estimates the expenditure for this Park. But what the hon. Member for Swansea urges, and what we urge, is that Windsor Park ought to be put in exactly the same position as the other Parks for which the expenditure is voted from year to year under the Estimates. Now, there is another matter on which there seems to be misapprehension. I did not gather for a moment that it was the wish of the hon. Member for Swansea that there should be any steps taken to make Windsor Park a mere place for profit. He does not wish to interfere with it as a place of recreation. Let that be understood. We are not in any way urging upon the Government that they should treat Windsor Park as a means of raising revenue. That is not the point at all. We do not want the beauty or the recreative aspect of Windsor Park to be interfered with. We do not press upon the Government that they should take some means to increase the revenue, which amounts to £5,977. That we do not want to interfere with. What my hon. Friend the Member for Swansea says is this—that, inasmuch as we pay £26,968 a-year—at least, we did last year—on account of the Park, the proper course would be that the amount should be placed in the Estimates, and that we should, therefore, in Committee of Supply, have an opportunity given us of going over that expenditure with as great accuracy and with as great a sifting as can be attained in regard to any of the other Parks which are placed under the Board of Works. I observe as to the Royal Parks, that not only are the general expenditures of these Parks detailed under different heads, but that, whenever there is an extraordinary service in these Parks, those extraordinary services are noted. Now, if the expenditure as to this Park was placed in charge of the Board of Works, and if the various items of expenditure were laid before Parliament for its sanction, and if, in addition, any proposal of extraordinary work recommended was laid before Parliament for its sanction, I have a strong opinion that the effect of that would be to promote economy, and that, I understand, would be the object of my hon. Friend. I suppose that some day the whole question connected with Woods and Parks will be gone into; but that is not the point at present. It is a much narrower point, and I must say the answer of my hon. Friend the Secretary to the Treasury has not met the position taken by the hon. Member for Swansea; and I still hope that, on consideration, the Government will see that it will be to the interest of the Public Service that this expenditure should be brought duly under the notice and control of the Committee of Supply in the House of Commons.

General Sir GEORGE BALFOUR observed, that as the annual expenditure on Buckingham Palace, which was in occupation by the Crown, was brought before the Committee by being included in the Civil Service Estimates, and the funds required for maintenance voted by Parliament, he did not see why the expenditure incurred in respect of Windsor Park should not be subject to the control of Parliament. At all events, it was inconsistent to allow two modes to be now followed in obtaining funds for the keep of Palaces and Parks in direct use with the Crown. The line to be drawn was that Palaces and Parks not in use with the Crown should be upheld by monies annually voted by the House of Commons, and a clear understanding arrived at as to how Palaces and Parks exclusively in use with the Crown are to be provided for.

IRISH UNIVERSITY EDUCATION.

OBSERVATIONS.

Mr. O'DONNELL, who had a Notice of Motion on the Paper, which, owing to the Forms of the House, he was unable to move, to the effect—

> "That the practical exclusion of the Catholic element from the entire Professoriate of the Faculty of Arts in the three Colleges of the Queen's University in Ireland renders the compulsory maintenance of these institutions at the public expense an additional and offensive grievance to a Catholic people,"

said, that in connection with this matter it had been again and again remarked that there was an advantage in the mingling of youths of different creeds during the period of life when prejudices were not strong, and when habits were formed which would be likely to have the effect of implanting in their young minds the seeds of mutual kindness and respect. It had been said that the meeting of young men of different religious persuasions in the same Colleges and Universities must have the effect of rendering them tolerant citizens afterwards. It might be objected to these statements that they implied the less religion people were troubled with the better. But it was altogether a misrepresentation of the position which Catholics took up upon this question to say that they objected either solely or mainly to the mingling of young men of different religions in the same lecture-halls. What they complained of was the refusal of any permission to themselves to have in the institutions of which he was speaking Professors who would instruct the children of Catholic parents in those principles of religion which the parents desired to be taught to their children. They saw no objection whatever to Protestant parents sending their children to a Catholic University should they consider it right to do so; but they thought it would be unjust, unfair, injurious, and tyrannical so to dispose the public education of the country that Protestant parents should have no alternative but to send their children to the halls of a Catholic University, or *vice versâ*. The Queen's Colleges in Ireland had been represented in the House and in the country as institutions in which Catholic and Protestant students had equally fair play; but, so far from that being the case, they were in their teaching and in their Professorial staff practically non-Catholic institutions. They were to all intents and purposes Protestant institutions of various kinds and shades. If the Queen's Colleges were officered by Catholic Professors, if the examinations were conducted by Catholic Examiners, if Government tutors of the highest standing assisted the students in their studies, those for whom he spoke would not object to the presence of Protestant students in the halls; but they did object to being obliged to send the Catholic youth of Ireland to such institutions as the Queen's Colleges, which were officered by an almost exclusively Protestant Professoriate. It was a mockery—it was a thorough mis-statement—to say that those institutions offered the same advantages to Catholic as to Protestant students, and that they were equally fair to both. How could this be so, when the various Chairs were found to be in the possession of men of one set or sect of religious opinions? In dealing with this matter, he was influenced in no way by any bigotry or religious prejudice. It was a matter of perfect indifference to him whether a man was a Catholic or a Protestant, so long as he was of personal worth as a citizen. But this was a question of parental right and of fair dealing as between different denominations, and it was a question which it behoved the House very seriously to consider. Take the case of the Queen's College, Belfast. That College was practically a Protestant institution, and enjoyed the entire confidence of the Presbyterian and Protestant population of Ulster, and they found the General Assembly of the Presbyterian Church in Ireland approving of the manner in which the Chairs in that professedly unsectarian College had been filled. But what was the fact? That after all that had happened, after all the criticism which had been brought to bear upon the subject, he believed there was not in the list of Professors of Queen's College, Belfast, a single member of the Catholic Church to be found in the Professorial Chairs of the entire Faculty of Arts. The result was that nearly 200 Presbyterian and Evangelical students attended there, while, although half the population of Ulster was Catholic, there were only about a dozen of Catholic students to be found there altogether. If they went from Queen's College, Belfast, to Queen's College, Cork, they would find that for all practical purposes the Professoriate was again non-Catholic. There was one single Arts Chair out of 10 which was held by a Catholic; but all the other Chairs were occupied by Protestants of various denominations. There was, indeed, a sort of Catholic ornament who had been lately added to the College—an ex-Professor of a Catholic University had been induced to accept the handsome post of President of the institution, but he did not teach. He exercised no function of the kind; and practically the entire teaching of Queen's College, Cork, was in the hands of non-Catholic Professors. Passing on to Galway, the same tale repeated itself. Out of some 10 Professors in the Arts Faculty, there was only to be found a single Catholic Professor. And yet this was the system which, although it was so manifestly unfair, and had in its numerical results proved a failure, they were taxed for and asked to sanction and to approve. There were, besides those Professors, a few Professors in the Queen's University who were Catholic, and he would not be guilty of the subterfuge of holding back that fact. Both in Cork and in Galway there were a couple of so-called medical Professors who were Catholics. In Galway there was, to his own knowledge, a Professor of the practice of medicine who was a Catholic, and a Professor of *Materia Medica* who was a Catholic, while the Professor of anatomy and physiology was also a Catholic. But the House would, of course, observe that these were purely Professional Chairs, and in no way entered into general education; and he believed that it was very rare indeed that the religious bias of a Professor would become visible in a lecture on *Materia Medica*, on the practice of medicine or anatomy and physiology. Besides, those Catholic gentlemen who were appointed to medical Professorships in the Queen's University in Ireland were almost invariably local medical gentlemen. If they went into the history of the matter, they would see that under the acknowledged distinction of these local gentlemen and their reputation in the different branches in which they were selected to teach there was also the fact that those gentlemen also represented local influences; and again and again had it happened, as in Galway, that the entry of a Queen's College student into a hospital under the control of a local Catholic Board of Guardians, &c., would not be very easy if the local medical gentlemen were strictly tabooed by the College authorities. Thus, there were three Catholic medical Professors in Galway, and two in Cork; but, of course, medical education had nothing at all to do with the general University education of the people. Before the Queen's Colleges were established there was a medical school in Cork, and another in Belfast; and although a medical school had been nominally established in Galway since the foundation of the Queen's Colleges there, to all practical ends and purposes there was still no real medical school. The lectures were still given, but for all the practical purposes of their business the medical students had to attend the Dublin hospitals. The fact remained that out of 30 Chairs 28 were in the hands of non-Catholics, and yet these were the institutions which Ireland was asked to pay for and support. He left it to the advocates of the system to say whether the Catholics were deliberately and purposely kept out of the Queen's Colleges' Chairs on account of their religion or not; and however his objections might be answered, he did not expect more than a few general observations which would leave the House about as well informed as before on the subject. He had no doubt the Chief Secretary for Ireland would reply with his usual courtesy, but also with his usual vagueness. What he (Mr. O'Donnell) desired to show was that the so-called undenominational education was in the hands of one denomination—namely, the Protestants; and that the Catholics, who were the representatives of the great majority of the people in Ireland, were to all intents and purposes excluded from this University, which was intended for the benefit of the people of Ireland. It was impossible under these circumstances to accept such an institution; and the Government might be perfectly satisfied that the Irish Members would give this and similar institutions every resistance in their power. In fact, he thought there was no extremity of resistance recognized within the procedure of this House which ought not to be resorted to in order to prevent the imposition on the people of Ireland of a system of this nature—a system which in its theory was unworkable, and in its practice was distinctly an anti-Catholic institution, falsely forced upon the people of Ireland under the pretence that it was one which deserved their support. He declared this system was false in inception, tyrannical in working, and in its results a base hypocrisy imposed upon an honest people.

Major NOLAN said, he looked upon this question as a very important one, and there was no mistake as to what the opinion of Catholic Ireland was with regard to it. Last year they had before the House the subject of a general revision of University education in Ireland, and 57 Irish Members voted for a change, while not more than 10 Irish Members—and those Representatives of Protestant constituencies—voted for the present state of things. An analysis of the votes of the 10 Irish Members who voted showed that they came from Fermanagh, Tyrone, Belfast, Carlow, Dublin County, City, and University. Taking, therefore, the constituencies represented by the 57 other Members, it was evident the present system was not favoured by the Irish constituencies. In fact, the whole of Catholic Ireland was against the present system, and the Government were actually taxing the people of Ireland in order that they might carry out a system of education which they disliked. They were forcing upon Ireland a system which she abhorred; and yet they expected her to be as contented as the people of England were with a system which was in accordance with the feelings of a majority of the people. In England they had the School Board system, in which Manchester, Birmingham, and other places, might determine what the system of education should be, and they might introduce what amount of denominationalism they thought proper; but in Ireland there was a rigid system, and a totally different state of things existed. He appealed to Her Majesty's Government not to be annoyed at the attempts which were made to bring this question under the notice of the House. The Eastern Question was brought before them in many different ways. First, in regard to Cyprus, then as to Afghanistan, and, then, in other ways; and equally as the people of England were interested in the different phases of the Eastern Question, so were the people of Ireland interested in the different phases of the University Education Question in that country. Many amongst the Irish people had entertained the hope that the present Government would appreciate the fact that the majority of the Irish nation wished for a different system of education. None of them objected to Protestants or Secularists—if there were any in Ireland—having Colleges of their own; but all they asked was that they should consider the feelings of three-fourths of the population, and afford them due means by which they might obtain a Catholic education. Nine-tenths of the Professoriate in the Qeeen's Colleges did not belong to the religion of the country; and although he did not mean to say that the Protestant Professors attempted to convert or pervert the Catholic youths in their charge, yet he believed that when Professors found themselves of a different religion from the majority of students, they would eschew religious topics altogether; and the House would admit that few things were more dangerous than to talk of certain scientific subjects with all reference to religion omitted. The system was one which, so far as it had any influence at all, was calculated to sap the foundations of all Christianity. He believed the hon. Member for Dungarvan (Mr. O'Donnell) had done right in bringing this matter forward, because if the Government were left for a fortnight or a month without being reminded of this crying grievance, they would begin to think there was no grievance at all. It was by hammering away at the question that they would convince Irish constituencies of the necessity of returning Members pledged to see justice done in this matter; and he, therefore, believed they were doing good service to their country in pressing this matter forward. He hoped the Catholic electors, both in England and Ireland, would be sufficiently strong to compel the Government to give proper consideration to the subject.

Mr. J. LOWTHER said, the hon. and gallant Gentleman (Major Nolan) had drawn a comparison between the subject brought forward by the hon. Member for Dungarvan and the Eastern Question; but he (Mr. J. Lowther) was at a loss to understand what analogy there was between the two subjects. He presumed, however, that it was to be found in this—that the hon. Member for Dungarvan, following an illustrious example, wished to drive the Professoriate of the Queen's College "bag and baggage" out of Ireland, and that he considered that to be a proposition which he was justified in season—he would not say out of season—in bringing continuously before the House. He (Mr. J. Lowther), however, was not sure that the example to which he had alluded, illustrious though it might be, was one to be cultivated by those who wished to obtain success. He should rather have thought it was one to be avoided. He did not wish the question of Irish education to be relegated to the category of the "bag and baggage" question, as it would then become one which could never be mentioned without exciting a legitimate want of sympathy in the mind of the great mass of the community. The Irish Education Question was a great question; and although, no doubt, they had some very influential Representatives of the Irish nation present to-night, the matter was one which he was disposed to believe would require an expression of opinion from a greater number of Members than had addressed, or were likely to address, the House on this occasion. The hon. Member for Dungarvan had spoken of the Queen's Colleges as having attained no practical result. [Mr. O'Donnell: I did not refer to the subject.] He (Mr. J. Lowther) knew that the hon. Member had carefully avoided the subject; but he certainly understood him to say the Queen's Colleges had not succeeded in obtaining the results for which they were originally founded. The hon. Member in making that statement had displayed great moderation and modesty, for he might have reminded the House that they were indebted to a Queen's University education for the able speech which had occupied the time of the House for upwards of half-an-hour. There had, therefore, been instances in which the money expended by the country in providing Professors for these Colleges had not been entirely thrown away. But the subject was one which required handling in a manner that could hardly be attempted that evening. The hon. and gallant Member (Major Nolan) had said that the question would come continually before the House, sometimes in one form and sometimes in another; but he (Mr. J. Lowther) did not think that, although they might have the pleasure of listening to one or two, or perhaps even three speeches, the subject was likely to be broached that evening from a point of view that would exhaust all the arguments which could be raised upon the question of Irish education. He did not see at that moment any of the opponents of the hon. Member who probably would require their opinions to be heard. As the subject was one which the House of Commons must be prepared to discuss at a future time, and the hon. and gallant Member had promised them that many opportunities for discussion would be afforded, he (Mr. J. Lowther) thought he should be studying the convenience of the House by reserving the opinion of Her Majesty's Government for another occasion.

Mr. O'CLERY said, the right hon. Gentleman (Mr. J. Lowther) had given the House no information whatever. He (Mr. O'Clery) would be very glad if the Irish Members would initiate a crusade against the present system of education in Ireland, which would have for its ultimate object the "bag and baggage" policy referred to by the Chief Secretary for Ireland. The right hon. Gentleman was pleased to be facetious with regard to the remarks of the hon. and gallant Member (Major Nolan) upon the Eastern Question. The Irish people had to pay, unfortunately, for the dealings of Her Majesty's Government with regard to the Eastern Question, as also for the system of mixed education imposed by Her Majesty's Government upon Ireland, and that constituted a very legitimate reason for their Representatives bringing those matters before the House of Commons. It had been stated that the Irish voters resident in England would have something to say about Irish education at the next General Election. He (Mr. O'Clery) had reason to know that they would insist that any candidate who wished to have their support should make it clearly understood that he was in favour of denominational education, not only in England but also in Ireland. Now the Government, and the Party which the Government led, had won for itself a position in England by affording denominational education in English Schools; but it had never occurred to them that perhaps two-thirds of the Members of the Conservative Party returned by England would at the next General Election be called upon to be consistent, and give to Ireland a system of denominational education which they were willing to accord to England. There were to his own knowledge many constituencies in England where the Irish vote would turn the scale. It had been said the other day that the natural Conservative majority stood at 47, and it would be a question at the next General Election whether that natural majority could be maintained. He submitted that the right hon. Gentleman, as the champion of the Conservative Party, should have been prepared to make some statements of the views of the Government upon the subject of Irish education, for the information of Irish Members, and not indulge in vague generalities. They could only appeal to him to do this by forcing upon his notice, and the notice of his Colleagues, the fact that the Catholic priests of Ireland were determined—and the right hon. Gentleman would know by his official position that they possessed some influence—to make the question of denominational education in Ireland a test word. The hon. and gallant Member for New Ross (Colonel Tottenham) would have now no chance of being re-elected for that borough, if he were at all hesitating or vague on that question; and he need hardly point out to the right hon. Gentleman that scarcely one in three of the members of his Party in Ireland would have any chance of being re-elected unless they were clear and outspoken on the subject of University education. Now, there were many constituents who could afford to dispense with representation in an Irish Parliament, but could not afford to dispense with the question of University education. It was the primary duty of Irish Members to consider the wishes of the Irish people on every great question in which they were interested, and this one vitally interested them. There were other questions also—namely, those relating to the land and the Irish Parliament, which, as well as some of great Imperial importance, naturally demanded the attention of Irish Members; but he would be wanting in his duty if he did not press this particular question on every occasion upon the attention of the House. The right hon. Gentleman would do well to consider it also, so that he might, when the matter was again brought forward, be able to give Irish Members some definite answer.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class I.—Public Works and Buildings.

Motion made, and Question proposed,

"That a sum, not exceeding £29,540, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Maintenance and Repair of Royal Palaces."

Sir HENRY SELWIN-IBBETSON said, at that hour—12.15—it would not be fair to ask the House to go into the question of the Estimates, and he would, therefore, move that Progress be reported.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

LICENSING LAWS AMENDMENT BILL.

(*Mr. Staveley Hill, Mr. Mundella, Mr. Rodwell.*)

[BILL 25.] SECOND READING.

Order for Second Reading read.

MR. STAVELEY HILL, in moving that the Bill be now read a second time, said, the hour was too late to enter into any detailed explanation of the object of the Bill. So, with the permission of the House, he would on the present occasion content himself with the Motion he had made, and reserve until the occasion of going into Committee the statement he intended to make.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Staveley Hill.*)

SIR HARCOURT JOHNSTONE said, he felt bound in the interests of free competition to give this measure all the opposition in his power, and he moved that it be read a second time that day six months. This Bill was before the House last Session, and he was under the impression that the right hon. Gentleman the Home Secretary had given a cold shoulder to the proposal of the hon. and learned Member for West Staffordshire. He, however, did not know what course the right hon. Gentleman intended now to pursue. If the Motion for the second reading were pressed, he must take the opinion of the House on the Motion. The Bill, which had been introduced on several previous occasions, he had no hesitation in saying, was framed entirely in the interests of monopoly; and whatever views the hon. and learned Gentleman might have on the question of temperance, it was manifest that his Bill was of a sinister and dangerous character. He, therefore, felt it his duty to meet the Bill at this stage with a direct negative. The hour was too advanced to enter then upon a discussion of the measure; but he hoped that the Home Secretary would frankly state the views of the Government upon the subject' and be enabled to give the *coup de grace* to this highly objectionable measure.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Harcourt Johnstone.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. ASSHETON CROSS: Sir, I should not have risen on the present occasion had I not been personally appealed to by the hon. Member for Scarborough (Sir Harcourt Johnstone). I am, however, bound to express my astonishment that the hon. Baronet, having himself brought in a Bill to the same effect some years ago, has not given us the reason why he has changed his mind. I can only say now that it is rather too late to discuss a Bill of this importance to-night and I therefore hope my hon. and learned Friend will adjourn the debate to another and more opportune occasion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Ritchie.*)

Motion *agreed to.*

Debate *adjourned* till *Thursday* next.

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) BILL—[BILL 93.]

(*Mr. Wheelhouse, Sir Andrew Lusk, Mr. Scott, Mr. Isaac, Mr. Benjamin Whitworth.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Wheelhouse.*)

MR. DILLWYN, in moving, as an Amendment, that the House would, upon that day six months, resolve itself into the said Committee, said, he wished to have some expression of opinion on the part of the Government with regard to this Bill, which seemed to him to require more consideration than the House could bestow upon it at that moment. The measure dealt with several important questions; amongst others, the disputed point as to whether the children should be sent to schools established for the reception of children of the religion to which they belonged; it also provided that in case of any question arising as to the religion of any child the same should be determined by the Local Board, so that the right hon. Gentleman opposite would be thereby constituted the sole and entire judge of that very knotty and difficult point. He (Mr. Dillwyn) desired to know whether the right hon. Gentleman accepted that responsibility, or whether the Government thought it proper that he should do so? He also wished to know why the magistrates should be empowered to purchase or provide, out of the county rate or borough rate, buildings for the care and education of these children? In his opinion, this was not one of the cases in which magistrates ought to be allowed to establish such buildings and pay for them out of the public rates, seeing that the application of the Bill was merely optional. He would move the postponement of the Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Dillwyn*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SCLATER-BOOTH said, he could not see that the hon. Member for Swansea had stated sufficient reasons for his Motion. The greater part of the Bill was of a permissive character. His hon. Friend (Mr. Dillwyn) would be quite within his right in endeavouring to alter Clause 3, which provided for the settlement of the religion of the children in a peculiar form, and which appeared somewhat open to objection, although the principle was not at all a new one. With regard to Clause 4, he was not sure that there was anything objectionable in the magistrates having the power proposed to be conferred upon them. He felt that the Bill was one which, although framed with benevolent intentions, was not likely to be brought into active operation, and had always been of opinion that it professed a great deal more than it would be able to accomplish. He trusted the Bill would be allowed to go into Committee.

MR. DILLWYN said, that after the remarks of the right hon. Gentleman, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Clauses 1 and 2 *agreed to.*

Clause 3 (Provision for children being received into schools established in connection with religion to which they belong).

MR. DILLWYN, in moving, as an Amendment, in page 2, line 13, to leave out from the beginning of the clause to "and," in line 18, inclusive, said, he had no objection to the remainder.

MR. WHEELHOUSE said, that his sole object was to get these children educated, and he was very anxious indeed to accomplish that purpose. He cared very little—indeed nothing at all—as to how the education was to be found for them; and if religious instruction was not to be disassociated from the school teaching, how it was carried out did not seem to him a matter of any importance. His only motive for inserting the clause in the Bill was to protect the religious feelings of parents. Children, he thought, should be taught some form of religion; and, in his opinion, children ought to be educated in the faith of their fathers, for if that were done, everything like an attempt at proselytizing would be avoided. With those views this clause had been inserted, and with the object of carrying them into effect he desired to retain it; but if the House thought it better that the clause should not remain in the Bill, he should not personally stand in the way. He did trust that, whatever the House did as regarded this clause, the passage of the Bill through Committee would not be imperilled.

MR. DILLWYN said, he wished children to be educated in the religion of their fathers; but there was another element which would render this clause prejudicial. There was only to be one of these establishments in each county, and the effect of the clause would be to prevent a great number of children being sent to the school in their county.

Mr. NEWDEGATE thought the clause was justifiable as it was originally drawn, on the ground that the general law was that every child should be brought up in the faith of its father, but that the clause was most unjustifiable as it stood amended, for it would deprive these poor children, whom the whole Bill assumed, though deprived of certain faculties, to be intelligent, of the benefit of the general law.

Mr. SCLATER-BOOTH agreed with the hon. Member for Swansea (Mr. Dillwyn) that this was a restrictive clause upon the operation of the Bill. The Bill provided for payment of money out of the rates for the education of these children; he could not possibly have assented to that provision if it had not been for the well-known operation of the Act passed in 1875, under which poor people were allowed to have the school fees paid for their children without being pauperized. He had, however, told his hon. and learned Friend (Mr. Wheelhouse) that now that provision was passed into law, he had no longer any objection to that part of the Bill.

Mr. COURTNEY pointed out that this clause, taken in conjunction with the 1st clause, imposed upon the Guardians an obligation which they could not fulfil. By the one clause the Guardians were empowered to provide a school for these children; by this clause a restraint was placed upon the schools to which blind or deaf-mute children might be sent in particular counties.

Mr. WHEELHOUSE observed that the restriction on the schools to which blind and deaf-mute children might be sent was permissive only. He did not think that there was any reason for saying that this was an absolute restriction, or that it was intended to be, or that it was anything more than permissive.

Amendment *agreed to;* words *struck out* accordingly.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

Mr. Dillwyn

MOTION.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Cromarty, Fortrose, Lybster, Penzance, and Torquay.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. John G. Talbot and Viscount Sandon.

Bill *presented,* and read the first time. [Bill 125·]

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Friday, 18*th April,* 1879.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates, Class I., Votes 1 to 21; Class II., Votes 1 to 9.

Private Bills (*by Order*)—*Second Reading*—Blackburn Improvement*; Morecambe Gas*; Over Darwen Corporation*; Queenstown Gas*; Stratford-upon-Avon Corporation and Local Board of Health*; Tring Poor's Land.

Public Bills—*Third Reading*—General Police and Improvement (Scotland) Provisional Order (Inverness)* [112]; General Police and Improvement (Scotland) Provisional Order (Paisley)* [110], and *passed.*

Withdrawn—Duration of Parliament* [36].

PRIVATE BUSINESS.

TRING POOR'S LAND BILL.—[*Lords.*]

(*by Order.*) SECOND READING.

Order for Second Reading read.

Mr. HALSEY, in moving that the Bill be now read a second time, said, he could explain in a very few words the object of the measure. There was certain land which was formerly common uninclosed in the parish of Tring. It was inclosed by an Act of Parliament which was passed in 1797; but a piece of about 100 acres was allotted for the benefit of the poor inhabitants of Tring, and was vested in the hands of certain trustees. The land had ceased to be uncultivated and uninclosed; it had been now inclosed and cultivated for many years; and the custom had been—under the Inclosure Act, he believed—to let it on lease for five or six years at a time by public tender, and the proceeds of the lease were applied and expended in providing fuel for the poor people. Well, that land had been valued. He held in his hand a return from an inhabitant, a surveyor of the parish of Tring, whom he knew to be a man of great experience, and one who could be depended upon, and that gentleman told him he had known that piece of land to let for as low as £30. The land was situate on a hill, a long way from the town of Tring, and at this time it was let to Baron Rothschild at about £150 a-year. Being close to Baron Rothschild's estate, it was a great advantage to him; but it could not be conveniently used either as a public recreation ground, or as allotment gardens for the people of Tring, and the rent now paid for it was far beyond any value that could be obtained from it by any other person or by letting it in allotments. In fact, Baron Rothschild sub-let it to a tenant of his at a much lower rent. Now, an offer had been made—and that was the object of this Bill—to carry out an exchange, by which Baron Rothschild would either convey to the trustees, in place of this land, other land of the value, not of £150, but £200, or Consols of that amount; so that the poor who benefited by this fund would be advantaged by at least £40 a-year, which could not be obtained in any other way. He believed it would have been unnecessary to come to this House for an Act for that purpose, but for the 19th section of the Commons Inclosure Act of 1876, which had a special provision that in certain cases, such as fuel allotments for the poor, after the passing of that Act, it should be lawful for the Charity Commissioners to authorize the use of such fuel allotment as a recreation ground and field gardens, or for either of those purposes. Well, now, in this case that would be perfectly useless. He knew the district very well himself, and that the land was at the top of a high hill, a long way from the town of Tring, and that it was perfectly useless for the purpose. In fact, it never could be used either as a recreation ground or for the purpose of allotment gardens. Therefore, it appeared to him that in this particular instance a case had been made out by which, on this occasion and under these circumstances, the 19th section of the Commons Act might be passed over with advantage and benefit to the poor people of Tring. He might add that provision was taken under the 6th section of this Bill to give power to the trustees, with the consent of the Charity Commissioners, to purchase, or to procure by exchange, other land for those purposes, and for the benefit of the poor of Tring, if the trustees had an opportunity of doing so within a certain number of years; and also, he should point out, that no exchange or other transactions under this Bill could, by the 7th section, be effected, without the consent on full inquiry of the Charity Commissioners, who might cause an inquiry to be made before they consented to that sale or exchange. It therefore appeared to him that the interests of the public and the benefit of the poor of this parish were amply protected by the Bill, and that the Bill would be productive of great advantage to them—the advantage of giving them practically a certain endowment of £200 a-year, instead of a much smaller endowment which was somewhat precarious, because it was entirely dependent on the value of the land, the will of a particular individual, and circumstances generally which might change from time to time. He was of opinion, on those grounds, that the Bill was one which might well be passed by this House, and to which any objections might be fairly considered in the usual manner of Private Bills by a Committee upstairs. He therefore begged to move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Halsey.*)

Mr. SHAW LEFEVRE, in moving, as an Amendment—

> "That it is inexpedient to sanction the sale of the Tring Poor's Allotment until a local and public inquiry has been held as to the expediency of the sale, and the possibility of exchanging the allotment for other land more suitably adapted for purposes of recreation and for garden allotments for the labouring poor, as contemplated by the 19th section of 'The Commons Act, 1876,'"

said, he had no objection to take to the facts which had been mentioned by the hon. Member for Hertfordshire. His objection to the Bill was that it was in contravention of Section 19 of the Commons Act, which was passed only three years ago, mainly at the instance of himself. The House would probably recollect that when that Bill was before the House he moved the clause to which he now referred, on the ground that it had come to his knowledge that the Charity Commissioners were in the habit of selling these poor allotments to proprietors in the parish, and the income of the money derived from them was, as a general rule, distributed in doles of coal. In many cases of that kind which had come within his own experience, he had found that nothing but mischief had arisen to the inhabitants from those doles of coal, which merely tended to pauperize and depress the agricultural labourers, and did no good whatever. It appeared to him, therefore, to be far better that ground of this kind should be appropriated either for recreation ground or for allotment gardens; or, if it was not suitable, it should be exchanged for land which was more suitable for recreation ground or allotment gardens. And, accordingly, he drew up a clause, making it illegal for the future for trustees or the Charity Commissioners to assent to sales of such lands, but allowing them to appropriate them for the public purposes mentioned, or to exchange them for other lands more suitable for these purposes. The clause in that shape was accepted by the House of Commons, and passed without any opposition on the part of the House. Now, the proposal at present before the House was in direct contravention of that clause; it practically sought to repeal that clause; and it would enable the Charity Commissioners, or the trustees, after the passing of this Bill, to sell this land of 100 acres to the landowner of the place, who was Baron Rothschild. He wished to be allowed here to observe that he had not a word to say against Baron Rothschild, who, if he wanted the land, was perfectly justified in buying the land if he could get it. His objection was solely on public grounds. He did not think it was wise that this land should be permanently alienated. If it was not suitable now for a recreation ground or for allotment gardens for the people of Tring, then, for all the House knew to the contrary, it might become more suitable at some future time, when the population of Tring had grown to larger dimensions, or, at all events, it might be exchanged for other land which was suitable. This land was allotted to the poor of the parish under the Inclosure Act of 1797, and, as very often happened in those cases, the land allotted to the poor was very distant from the inhabitants, and very ill-suited for the purpose of garden allotments, and therefore it had been let for agricultural purposes. The town of Tring was two miles off, and it was a town of 4,000 or 5,000 inhabitants, and there was no recreation ground, and no ground belonging to the public which could be let for garden allotments. He believed Baron Rothschild had been generous enough to let some seven acres for garden allotments, and that had been taken up, to a great extent, by the labouring people of the district. But that entirely depended upon the goodwill of Baron Rothschild; it was not public property; and if hereafter the owner of the land was not so generous, there would be no public land which could be dealt with in that way. Now, what he said was this—that, as a general rule, it was unwise to alienate land which was allotted to the poor for that purpose, or to part with it in that way; and that it was far better to keep it, and to run the chance of being able to exchange it for land better situated. But he had another objection to this Bill—namely, that no local and public inquiry had been held on the spot into the merits of the scheme. He had received letters from the people of Tring, stating that there had been no local inquiry—no public inquiry whatever; and that the great majority of the people were quite unaware of the transaction which was proposed to be carried out by this Bill. Now, it appeared to him to be most important, even assuming that the House should sanction a sale of this kind, that it should not sanction it until after a public inquiry had been made on the spot; so that the inhabitants should know what it was proposed to sell, what price was proposed to be given, and whether there was not a better alternative. It was useless to ask the labouring population of Tring, or anyone representing them, to come up and attend before a Select Committee of this House to oppose the Bill; and, therefore, unless there was a local and public inquiry held on the spot before Parliament sanctioned this measure, there would be practically no opportunity whatever for the inhabitants to put forward their objections to it. The hon. Member for Hertfordshire had alluded to a clause in the Bill giving power to the Charity Commissioners to say whether the sale should take place or not; but they all knew from past experience that the Charity Commissioners were in the habit of giving their authority to sales of this kind without holding any local inquiry whatever. Hon. Members would recollect that last year a case of this kind was brought before the House, in the case of Burghclere. The allotment was very similar in that case; but for some technical reason it did not come quite within the 19th section of the Commons Act, and, consequently, the Charity Commissioners thought themselves authorized in agreeing to the sale of it, and they did so without any local inquiry. He had a good deal of correspondence on the subject, and he moved for its production in this House, and he threatened to bring on a Motion upon the subject, disputing the expediency of the sale. In consequence of that, the Charity Commissioners were induced to hold a public inquiry on the spot; and it was then found that a large majority of the population were opposed to it, and eventually the sale was abandoned. He quoted that as an instance of the extreme importance of consulting the public before sanctioning sales of that kind. Therefore, he said that, quite apart from the merits of this case, and apart from whether the House ought, in any case, to sanction a sale of this kind—and, for his own part, he was utterly opposed to it; but even if the House would not go to that length with him, at all events, he hoped they would go to the length of saying that no sale of this kind should be sanctioned by Parliament until a local public inquiry had been held in the parish by the Charity Commissioners, or the Inclosure Commissioners, or some public body, in order to ascertain what were the views of the agricultural labourers and other inhabitants on the subject. He would only say, in conclusion, that this was a question upon which the agricultural labourers felt very strongly. Last year he went with a very large deputation of them, representing all parts of the country, to the Home Secretary, and this was one of the points which was brought under the right hon. Gentleman's notice, and upon which the agricultural labourers expressed a very strong opinion. They complained that in a very great number of cases poor allotments of this kind had been sold, in the past, and the money had been invested in the funds, and the income merely distributed in doles of coal, which tended only to pauperize the people; whereas they believed that if advantage had been taken of the allotments, by securing them for their proper purpose, a very great benefit would have been done to the labourers; and they pointed out that if the original lands were not suitable they might have been exchanged for other lands.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to sanction the sale of the Tring Poor's Allotment until a local and public inquiry has been held as to the expediency of the sale, and the possibility of exchanging the allotment for other land more suitably adapted for purposes of recreation and for garden allotments for the labouring poor, as contemplated by the 19th section of 'The Commons Act, 1876,' "—(*Mr. Shaw Lefevre,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. RAIKES said, his hon. Friend the Member for Reading was so familiar to the House as the representative of the picturesque that they always expected to see him taking an active part whenever any Bill came before the House touching in any way the question of the maintenance of common land. But he (Mr. Raikes) wanted the House to bear in mind on this occasion that, although his hon. Friend naturally bestirred himself when any question of common right appeared to suggest itself, there was in this particular case hardly the same romantic interest attaching to it that there was in many matters in which the hon. Gentleman had taken an active part. They had rather passed beyond the stage when any question of the picturesque was to be advanced.

Mr. SHAW LEFEVRE rose to explain that he had not raised any question of the picturesque.

Mr. RAIKES replied, that he knew the hon. Member did not raise it on this occasion; but the hon. Member had very frequently done so, as the representative in this House of a certain society.

Mr. SHAW LEFEVRE repeated that he never raised the question of the picturesque at all.

Mr. RAIKES said, he never said the hon. Member had done so in this instance. All he said was that the House knew the hon. Member for Reading had a great sympathy with the society which advocated the cause of the picturesque, and that he directed his energies, in every instance, against the inclosure of common land. He quite admitted that on the present occasion the hon. Member had said nothing on that point; but he was anxious that the House should be aware that that point did not in any way enter into this particular question now before the House. The common land which was the property of the poor of Tring had been for many years past used for agricultural purposes. The proceeds of that land were, at the present time, applied to those very doles which the hon. Member condemned. Therefore, in the event of this Bill passing, even in its present form, it would not, as far as he was aware, introduce any change in the application of the revenues derived from the land. It would only increase the revenues; it would not in any way apply them to other purposes than those to which they were at present applied. The objection which had been taken by the hon. Member for Reading was that this Bill was in contravention of Section 19 of the Commons Act of 1876. Well, in form, no doubt, it attempted to carry into effect an arrangement which was not expressly licensed by that clause; but he could not but believe that he should be able to show to the House that it was not antagonistic to the spirit which animated that clause, and that, with certain Amendments, the Bill might easily be made to carry out the intention of those who passed that clause in 1876. That Clause 19 provided that there should be two cases in which the Commissioners should exercise a jurisdiction with regard to land of this sort. In one case, they might authorize the application of lands of this description for the purpose of a recreation ground or allotment garden; and, in another case, they might authorize the exchange of such lands for other lands situate in the same parish or district. Well, he believed it was the intention of the promoters of the Bill, if possible, to effect an exchange; but Baron Rothschild, with whom they were dealing in this particular case, was not the proprietor of any land situated in the parish of Tring which would be more convenient than this for the purposes either of allotment gardens or recreation ground. He was, however, the proprietor of other land, more conveniently situated with regard to the town, which might be exchanged for these purposes; but which, under the precise wording of the clause, he was unable, as it lay outside the parish, to transfer, except with the authority of Parliament. Whether such an arrangement would or would not be carried out, of course, he (Mr. Raikes) was not in a position to make a positive statement; but he merely mentioned to the House what had been stated to him by the promoters of the Bill. Further than that, if his hon. Friend the Member for Reading had read the Bill, as doubtless he had, he would see that in the event of money passing in the transaction, and of the sum of £7,600 named in the Bill being paid over by Baron Rothschild to the trustees, they would be enabled, with the consent of the Charity Commissioners, to purchase other land. They would be in a position to acquire land which might be much more convenient for such purposes—which, he thought, they would all prefer to a system of doles—if the Bill passed, and in the event of an exchange with Baron Rothschild not being carried out. And, further, there was a clause in the Bill—Clause 7—which he wished his hon. Friend particularly to notice, and which he thought carried out all that his hon. Friend proposed to ask. That clause provided that the Charity Commissioners, before giving their consent to the sale or exchange of this land, or the purchase of other land, as provided by the Bill, might make such inquiry as to the conditions of such sale, exchange, or purchase, being for the benefit of the poor inhabitants as they might think fit, and if they were not satisfied they might withhold their consent. Well, he presumed that in that clause "may" was to be construed in the usual fashion; but if there was any doubt, he could not see any objection to exchanging the word for "must;" so that it would be made obligatory upon the Charity Commissioners to satisfy themselves by such inquiry before anything was carried out. He did not suppose his hon. Friend had any particular objection to such an inquiry being conducted by the Charity Commissioners; and, in fact, he did not know that there was any other body who would conduct the inquiry in a more satisfactory way. He gathered that his hon. Friend put in his Amendment rather as a way of indicating the direction in which he would wish to see the scheme amended than as substituting that proposal for the second reading of the Bill. He thought that if his hon. Friend considered the clause to which he had called attention, he would see that the Bill could be so amended as to satisfy him or any other defender of common rights; and he should be very sorry, when the matter might be so very easily adjusted so as to meet objections, to see the Bill lost. Because there could be no question that the arrangement proposed was in the form of a pecuniary benefit to the town of Tring, which would be highly advantageous to the poor people, as providing for them such an equivalent as was now proposed, either in the shape of land or money, for the property which they now possessed; and although he could wish that the income of the land were applied to any other purpose than a dole, still it must be borne in mind that at present it served that purpose merely, and it came into the possession of the people of Tring simply in that view. They used to cut furze and waste on the common, and it was only of value to them for fuel; and when this portion of the land was assigned to them it was used for the same purposes. Therefore the House would not be in this case, so far as he could see, sanctioning any novel or improper application of the money which had hitherto accrued to the parishioners of Tring, if they sanctioned its being applied, as it had hitherto been, for the purposes of fuel, only to an increased amount. At the same time, as he had endeavoured to show, he thought there was no earthly reason why, if this Bill became law, some better and more satisfactory arrangement might not be carried out. The Bill might be modified in Committee so as to meet the objections of his hon. Friend; and if he would regard this matter from a practical point of view, as he very well could, rather than a sentimental point of view, he thought his hon. Friend would agree with him that it was a pity that this measure should be lost, if there was any opportunity for making it more beneficial to the poor people whose privileges were in this particular matter concerned.

MR. ASSHETON CROSS said, he should be very sorry if this Bill were lost; because he thought that by the very large price proposed to be given for the land the poor of Tring would benefit considerably. But he had a very strong feeling against coal doles. He thought they were a very bad substitute for allotment gardens, and that a recreation ground for the benefit of the place would be very much better than those doles. Now, as he understood from his hon. Friend the Chairman of Committees, although Baron Rothschild had no land in the parish which was convenient for the purpose, he had land out of the parish which would be much more convenient for the inhabitants than the land in question. He ventured to suggest that the House should allow the Bill to be read a second time, but upon this consideration, to which he hoped the promoters would not object—namely, that some clause should be put in to the satisfaction of the Secretary of State, in order to see that this land was either exchanged for other land nearer to the population of Tring, and therefore of more benefit to them than the present land; or, if that could not be done, that before the Bill was read a third time there should be a local inquiry held by the Charity Commissioners, in order to see what was best to be done under the circumstances. If the promoters consented to those terms, he hoped the hon. Gentleman opposite would withdraw his opposition, and allow the Bill to be read a second time.

LORD EDMOND FITZMAURICE said, he thought the proposition which had just fallen from the Secretary of State was one which would recommend itself as very just and reasonable. The opposition which had been offered to the Bill by his hon. Friend the Member for Reading was chiefly based upon the objection which he, in common with other hon. Members on that side of the House, felt to the alienation of a piece of land which belonged to the poor of a particular parish, without any certainty or security—notwithstanding that they had no doubt of the intention of the promoters of the Bill—that the money would not be invested in a form which ultimately would be objectionable. He might remind the House that they had had an exactly similar case in the case of the Burghclere inclosure. Objection was taken to that by his hon. Friend, and very similar arguments to the present were used by the promoters on behalf of the proposition; but, thanks to the pertinacity of his hon. Friend, the Bill was not eventually passed, and a local inquiry was held. It was then found that, so far from there being anything like an unanimous feeling in the parish in favour of the sale of the land, there was, to say the least, a very considerable difference of opinion. All the cottagers who lived in the neighbourhood of the allotment objected strongly to the sale, while some who lived at a distance were in favour of it; but ultimately the opposition was so strong that the scheme was abandoned. He did not wish to detain the House; but he thought the proposition of the Home Secretary was one which might fairly be accepted. He wished to protest against the language which the Chairman of Committees had used in supporting the Bill. He had observed that the hon. Member never rose to speak on a Bill of this kind without throwing stones at the Commons Preservation Society, but he did not think that was part of the ordinary practice of the House or of the business of the Chairman of Committees. He thought that when the Chairman of Committees rose to speak on a question of this kind, it was to guide the opinion of the House according to law and precedent in the case, and not to make sarcastic observations about the love of the picturesque, or other characteristics of Members on that side of the House. The Commons Preservation Society was not a society for the preservation of the picturesque. On the contrary, he believed that by far the most useful and solid work which had been done by the society had been the protection of the rights of agricultural labourers and other persons in commons, and not merely the preservation of the picturesque from an æsthetic point of view.

Mr. SHAW LEFEVRE said, he was abundantly satisfied with the proposition of the Home Secretary—namely, that there should be an endeavour to exchange this land for other land more suitable, and, at all events, that there should be a local and public inquiry by the Charity Commissioners before the third reading of the Bill.

Mr. ASSHETON CROSS: Unless an exchange is effected.

Amendment by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

PUBLIC HEALTH ACT—THE CHURCHYARD OF NORTH CRAWLEY.

QUESTION.

Mr. LAMBERT asked the Secretary of State for the Home Department, Why steps have not been taken to close the churchyard of North Crawley, Bucks, the same having been officially reported to be in a state unfit for further burials, and the attention of the Home Office having been several times called to the subject?

Mr. ASSHETON CROSS, in reply, said, he demurred to the statement that the churchyard had been officially reported as unfit for further burials; but not being quite satisfied with the last Report he received, he had given orders for a fresh inspection to be made, and for a further Report to be sent to him.

RAILWAY PASSENGER DUTY.

QUESTION.

Sir JOSEPH M'KENNA asked Mr. Chancellor of the Exchequer, Whether he has any objection to say if there be any, and, if any, what negotiations on foot or in the contemplation of Her Majesty's Government for the commutation of the Railway Passenger Duty?

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, some little time ago I received a communication from a gentleman who takes an interest in this question. In that communication he stated that it might be a convenient way of meeting some of the difficulties connected with the Railway Passenger Duty if a scheme of commutation were adopted, and the tax were purchased by the Government at a certain number of years' purchase. After giving some consideration to the subject, I informed the gentleman who made the communication to me that in the event of my receiving any communication from the Railway Directors, or from persons authorized to speak on behalf of the Companies, I should be ready to take any such proposal into consideration. I have not yet received any such proposal; but from what I have heard I think it not improbable some such proposal may be submitted to me.

SIR JOSEPH M'KENNA: I beg to give Notice that on Monday I will ask the right hon. Gentleman, Whether he will give the House any opportunity of expressing its opinion upon the subject before he concludes any arrangement with the Railway Companies?

THE CHANCELLOR OF THE EXCHEQUER: It would be absolutely impossible for me to make any arrangement without bringing the matter before the House and obtaining the sanction of the House to anything that might be proposed to be done.

SCHOOL BOARDS.—QUESTION.

MR. J. R. YORKE asked the Vice President of the Council, If he will lay upon the Table of the House a Statement showing the average cost of each child educated by the London School Board, compared with that of each child educated by School Boards in other parts of the country?

LORD GEORGE HAMILTON, in reply, said, the information might, probably, be found in Returns already moved for; but, if not, he would be happy to supplement them.

CRIMINAL LAW—CASE OF THOMAS PERRYMAN.—QUESTION.

SIR EARDLEY WILMOT asked the Secretary of State for the Home Department, Whether, in consequence of an impression existing that Thomas Perryman, now under sentence of death in Newgate, is entirely innocent of the crime for which he is about to suffer, he will recommend the postponement of the execution now fixed for Monday next, until further investigation into the facts of the case can be made?

DR. KENEALY had also a Question on the Paper to the following effect:—Whether it is intended to carry out the sentence of death for murder, pronounced on Thomas Perryman by Mr. Justice Stephen at the Central Criminal Court on 2nd April last, the evidence being altogether circumstantial, and the learned Judge having apparently in the first instance failed to make it clear to the jury the actual legal ingredients which constituted the offence of murder?

MR. ASSHETON CROSS: Perhaps I may answer not only the Question of my hon. and learned Friend, but that also of the hon. Member for Stoke, which rather challenges the ruling of the learned Judge at the trial. Now at the trial neither party suggested that the offence committed, if any, was manslaughter. The question was assumed to lie between murder and suicide. It was, therefore, unnecessary for the Judge to explain to the jury in his summing-up the law relating to the definition of murder. When the jury, however, returned a verdict of "guilty," at the same time recommending the prisoner to mercy on the grounds of absence of premeditation and malice aforethought, the Judge explained the law as laid down by Lord Coke, and the jury unanimously struck out of their verdict—which was in writing—the expressions relating to absence of malice aforethought. The only difficulty—if difficulty there be in the case—arises from the fact that those who had charge of the prisoner's defence did not call the medical witnesses for the defence, although they were in Court at the time. Their affidavits were afterwards sent in to the Secretary of State. On the most careful consideration of this case and after consultation with the Judge, I have no doubt in my own mind that the prisoner did cause his mother's death. The jury, however, recommended the prisoner to mercy on the ground of want of premeditation; and the Judge, not being satisfied that the prisoner intended either to cause her death or to inflict on her such injury as to show that he was reckless whether she died or not, concurs in that recommendation. I agree with the Judge on both points, and therefore have advised Her Majesty to commute the sentence to penal servitude for life.

GRAND JURY LAWS (IRELAND).

QUESTION.

MAJOR NOLAN asked the Chief Secretary for Ireland, On what date his Bill for the improvement of the Grand Jury Laws of Ireland will be printed for distribution?

MR. J. LOWTHER: Sir, I cannot at the present moment fix any day; but I hope the Bill will be in the hands of Members before long.

MAJOR NOLAN: Then, Sir, I beg to give Notice that I will repeat the Question on Monday.

PERU AND CHILI—HOSTILITIES—THE CHILIAN FLEET.—QUESTION.

SIR CHARLES RUSSELL asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government has received any information that the Chilian Fleet has destroyed the jetties and landing stages and seized the launches engaged in loading guano from Peru to England, by which act the loading of over 100 vessels, chiefly English, lying ready to load and actually loading with guano, has been interrupted and the exportation of guano stopped, to the injury, not only of the bondholders, but of the agricultural and shipping interests of this country; and, whether the Government are prepared to take any, and what, steps for the protection of British interests, and also with reference to the damage which has already occurred?

MR. BOURKE: Unofficial information on this subject has reached Her Majesty's Government. It seems to me to be practically of the same character as that mentioned in the Question which my hon. and gallant Friend has put to me. All I can say upon the subject at present is that it has received within the last 48 hours the serious attention of Her Majesty's Government, and they have already taken those steps which they think advisable for the protection of British interests and British property.

ORDERS OF THE DAY.

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SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PUBLIC HEALTH ACTS, 1875 AND 1878—INCIDENCE OF RATING.

MOTION FOR A SELECT COMMITTEE.

MR. A. H. BROWN, in rising to move that a Select Committee be appointed—

> "To inquire into the incidence of rating for water supply and sewerage, and report what amendments, if any, it is advisable to make,"

said: I feel that the subject is of considerable magnitude, and one which requires a few words of explanation from me. For some years, as many hon. Members know, I have been watching the working of the Public Health Acts, and have endeavoured, if possible, to find remedies for the difficulties, where there appeared to be need of a remedy. I have now to bring before the House a point which I feel sure is one of the great obstacles that prevent the successful working of the Public Health Acts. Sanitary improvement, like every other improvement, cannot, I am afraid, be carried on without money. The way the money is raised for certain sanitary purposes is the reason why I ask for a Committee to investigate the subject. I ask for a Committee to consider the incidence of rating for water supply and drainage, and whether a better incidence of rating cannot be devised. Let me say, at the outset, that I have no intention of raising the question of rating income; what I want is the proper apportionment of the expense on houses and lands. I hope hon. Members who follow me in the debate will keep to the narrow issue I have raised. Sir, the present mode of raising money for sanitary purposes is that an area is taken—such as a parish or borough—and upon that area a rate is laid, which falls equally upon all the property within the area. There is an exception in the case of agricultural land, about which I shall speak presently. In some cases there are special drainage districts; but I shall show that they do not meet the difficulty, and very few have been formed in urban districts. They have the power of making a separate assessment upon a part or parts of the district. Now, if all the property within the area were equally benefited by a sanitary improvement, the plan of levying an equal rate would be fair; but, in almost all cases, some property is not benefited at all, or only in an indirect manner, while other property receives the full benefit. Take the case of a parish with a village, which has to be drained or supplied with water, in the centre or at one end, and with a lot of agricultural land around it. Is it right or fair that all the land should be rated for the drainage or water supply of the village? Or take the case of a parish with two villages, one of which is to be drained or supplied with water; is it right that the other should help to pay for the cost? Or, if you take another case, where a speculative builder has run up a lot of houses, is it right that the cost of draining those houses should be borne by the district? What do we find actually to take place? In parishes where any sanitary improvement is to be effected, there immediately spring up two parties, one for, and the other against, the proposed works, those whose houses are not going to be benefited objecting to pay for the improvement of their neighbours' property. A case of this sort was mentioned by Colonel Cox, of the Local Government Board, when he gave his evidence before the Select Committee of last year on the Public Health Act Amendment Bill. He said, in answer to a Question put to him—

> "I have one case particularly in my mind that occurred very recently, but it is not by any means an uncommon case. It was a question of supplying with water a small village called Tal-y-Bont in Brecknockshire. The village of Tal-y-Bont was at one end of a contributory place some 12 or 13 miles long; it contains about one-third of the population of the parish; the remaining population—that is to say, the two-thirds not in the village—occupied detached houses and farms. Opposition was most vigorous, and not unnaturally so, on the part of those people. They said, 'We two-thirds have got to put our hands into our pockets and pay for the express benefit of the remaining one-third; and those people whom we are supplying with water are perfectly well able to supply it for themselves, and the whole thing is wrong.' The opposition was extremely fierce and obstinate on those grounds."

Many other instances were mentioned by the hon. Baronet opposite (Sir Baldwyn Leighton) and others, of villages where the population was scattered over a large area, and where those who were not benefited by the improvements objected to pay. With regard to this state of things, the Committee of last year reported that it was productive of grave evils. The Report says—

> "It frequently happens, notably in rural districts, that the whole charge is borne by the parish, under the rate for special expenses, while the supply of water is limited to the village, or a particular part of the parish. Those, therefore, who live outside the village or the part of the parish benefited by the supply have to pay for the water from which they derive no advantage; this fact causes great opposition to schemes for water supply, and in many cases renders it impossible to carry them out."

The same reason prevented the execution of drainage works. The Committee which sat last year had before them the evidence of Dr. Ballard, of the Local Government Board, who was able to mention case after case where villages required draining, and where the public health had suffered in consequence of nothing having been done in the way of drainage. Why was this? The reason was because those who administer the law knew that great opposition would be raised, and not unjustly, if they attempted to levy a rate on all which was only for the benefit of a few. Perhaps I shall be told that what is wrong is the area, and that the area ought to be altered. But in most cases the area is the parish, and to alter the area of a parish for sanitary purposes only is impossible. They are very ancient, and so interwoven with all that we call Local Government, that such an idea has only to be stated to show its impossibility. With regard to urban sanitary districts, they are boroughs, and it would be impossible to alter their areas for this one purpose alone. But I shall be told that there is a provision for making special drainage districts in the rural parts of the country. But these special drainage districts are found, in practice, not to work well. I have made inquiry on this point, and have received information from 105 medical officers of health, who have the supervision of 6,500,000 acres of land and 2,000,000 of the population of this country in 37 out of the counties of England and Wales. Only 26 out of the 105 medical officers were able to say that application had been made to the Local Government Board for the formation of a special drainage district, some of which had been refused. On this subject, the Report of the Committee of last year contained the following observations:—

> "Special districts for drainage and water supply have been in some cases formed, but objections are often raised to the formation of new rating areas, and in some cases special difficulties arise. For instance, when in a village some of the houses have water and some have not, and when these two classes of houses are intermingled."

I think I have said enough to show that special drainage districts are not very successful. Let me now deal with the objection that the parish ought to pay, and that it must be treated as a whole. It is argued that the villages contain the labour which is used on the land, and therefore it is fair to tax the farmers for the benefit of the labourers. But this is often not the case. The villages often have a special industry. Take, for instance, a mining country, or suburban places, where the labour belongs to the town. In such cases there is no benefit to the farmers, and their land ought not to be rated. Again, it is said that if the rates do not fall upon the parish no sanitary improvement will take place; and, consequently, disease will spring up, and the poor rates will be increased. The answer to this is that, if you make the incidence of rating fair—which it is not at present—opposition to sanitary works will decrease, and, therefore, the public health will be improved. On this subject, the hon. Baronet opposite (Sir Baldwyn Leighton) said—

> "Then there is the argument that the parish is interested in these improvements, because if they are not made, it will have to pay for medical relief, if not for pauperism. That, I think, is a fallacious argument. The other argument is that the village contains the labour of the district, and, therefore, that the surrounding land ought to pay for it; but that, I think, is as great a fallacy as the other. In the first place, the village does not contain that labour; in my part of the country it hardly ever does; the labour is contained either in the farmhouses or in detached cottages. There are instances of suburban villages where the labour really belongs to the town, and not to the country; but being in the district of the rural authority, it would be thrown upon the parish."

Having shown that there is a great opposition to works for sanitary purposes, and that there is nothing in the present law to remove the opposition, I come now to suggest the remedy. In dealing with the question of water supply, the Committee stated in their Report that, after full consideration, they—

> "Think that the sound principle to lay down is that water supplied by a sanitary authority should be paid for by the consumer. It is obvious that a fair charge made directly on the houses benefited will tend to disarm the opposition which now arises on the ground that the cost of the waterworks will be thrown on the rates."

Let the same principle be applied to drainage; and when a house is drained, let the cost of the works be a charge upon the house which is benefited. But I shall be told that this would require a great alteration in the law of rating. No doubt this is true; but the principle is not new. The principle is found in the Public Health Act itself as regards nuisances; for the cost of removing a nuisance is borne by the property to be benefited by the removal of it. The same principle is in operation with all Water Companies, for there the cost of water is paid for by the consumers. As regards drainage, we find the same principle adopted in many Acts of Parliament. It is admitted in the Public Health Act; for under the provisions of this Act it is possible to charge the property benefited with the cost of the works in some cases—I mean those cases in which a private improvement rate is levied. It is also admitted in various local Acts, thus pointing conclusively to the policy of extending the principle I contend for into general law. For instance, in the Hereford Improvement Act, 1872, I find the following power to levy sewer rates. I need not read the whole of the section—the important part of it is that—

> "A sewer rate is to be levied upon the houses, lands, and tenements, the drainage of which is connected by pipes with any such sewer or drain;"

and in order to make it perfectly clear what the rate is for, the section concludes by stating that the rate is to be in lieu of any rates for making sewers under the authority of the Act of 1854. Again, I will quote the case of a large town—Liverpool—where the cost, or part of the cost, of the sewers falls directly upon the house drained by them. The Liverpool Sanitary Act says as follows:—

> "Be it enacted that when and as soon as any such house or building shall drain into or com-

municate with any sewer vested in the Mayor, Aldermen, and Burgesses, the owner of such house or building shall pay to the Council a sum after the rate of six shillings for every lineal yard of the frontage of such house or building towards the principal street in which the same shall be situate."

I am aware that there are difficulties in the plan adopted in this case; but the principle is the same. Again, to quote from one more Local Act—the Black Rock Local Board Act, 1876, has the same principle with regard to water. A section of the Act is as follows:—

"The Local Board may demand and take for the supply of water for domestic purposes within the district any rates and charges not exceeding the rates and charges following, that is to say, where the annual rack rent or value of the premises so supplied with water shall not exceed twenty pounds, at a rate per centum per annum not exceeding seven pounds ten shillings."

As the power of rating is here limited to premises supplied with water, it is evident that they cannot rate premises not so supplied; or, in other words, the Board are recouped for their expenditure by charges on the property benefited. I have, I think, now stated enough to show that there is a case for examination by a Select Committee; but I have noticed that there have been several allegations against the principle I have laid down, and these I will now glance at. First, it is alleged that the proposal would exempt agricultural land from rating, and that already this class of property is partially exempt, being rated at only one-fourth of its value. The answer to that is this—that each rate should be considered on its own merits, and in relation to the public good to be effected; and it is no answer to say that one can be put off against the other. But I may further point out that in boroughs, where the expenses are defrayed by the borough fund, agricultural land is rated at its full value, and contributes its full share of the burdens of the borough. Again, it is said that it would destroy the security on which money has been lent—I mean the security of the rates of the whole district. But that is not the case, for the rates of the whole district would be the ultimate security, though the rates on the property benefited would be, as now, the first asset for the repayment of the interest and principal of the mortgage. With reference to the objection that, under the proposal I make, the areas might be very small, and therefore the rating might be high, I think the objection is a good one in those cases where, from various circumstances, the cost must be great; and therefore I think it would be necessary to put a limit of charge upon the property benefited, and any excess of charge should fall as it does now. This is a difficult and technical subject, and I am afraid I have failed to put it clearly before the House. But I think it is worth investigating, and therefore I ask for a Committee.

Sir BALDWYN LEIGHTON, who seconded the Amendment, held that an alteration of the law was needed, for the reason, among others, that at present the charges for drainage weighed very unequally upon owners of house property; those who laid out money on their holdings having to pay as much *pro rata* as careless and improvident landlords. The consequence of the present state of affairs was that there was a very strong feeling of injustice, and, in many cases, of virtual stoppage of all improvements. Representations of the injustice of this incidence had been made from numerous sanitary authorities to the Local Government Board. A list of some 20 or 30 places was given before the Select Committee of last year on the Public Health Act Amendment Bill, and these were a mere selection of cases. There was not a county in England, probably not a union, where the injustice had not been felt so strongly as to prevent improvements being proceeded with. That was the uniform experience of all engaged in the subject as appeared from the evidence of the Select Committee already referred to. He maintained that in former years there was very little principle underlying these rates, although lately there had been what he might describe as more scientific accuracy, as shown in the obligations which had been imposed upon the ratepayers with respect to education, roads, and sanitary improvements. The principle of the incidence of rating was a haphazard one; and, as regarded this sanitary rating, it was the application of the urban principle of the Acts of 1848 and 1858 to rural places, whence the injustice. A village that had been improved, that had water laid on, and drainage provided, was called upon to contribute to the improvement of another village five miles off, where the landlords had neglected all sanitary provision; and, although the Act provided for the land only paying one-fourth, the farmhouse on the land paid the whole rate; so that the distant ratepayer, who was in no degree benefited, was called on to pay double or treble what an occupier living in a similar house paid for that house being improved. It was impossible to conceive a greater injustice than what sometimes occurred in this manner. The proper and only principle to adopt was that the incidence of the rate should show the benefit of the use. He entirely denied that this was a question between town and country. There was hardly a rural district in England where they did not find another population living in the villages besides the agricultural labourers. There were mining populations and others, people engaged in staple manufactures like the shoe and straw trades, who were altogether separate from the agricultural population. This was a question of getting necessary improvements made, and those improvements could not be made without an alteration in legislation. He hoped the House would not refuse to allow the matter to be fairly sifted before a Select Committee, as the subject was of more importance than was generally supposed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the incidence of rating for water supply and sewerage, and report what amendments, if any, it is advisable to make,"—(*Mr. Alexander Brown,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. WHITWELL observed, that, so far, the urban populations had derived great benefit from the legislation of the last few years. The difficulty was to find the means for giving a supply of water to those places where it could not be provided by any general system of rating, but where it was required for sanitary purposes. In certain localities private arrangements existed whereby a small area was exempted from the taxation which fell on all the district around, simply because some centuries ago there was a reason for such exemption, which reason was now entirely removed. Sooner or later these exemptions must be dealt with. He thought a case had been made out for a Select Committee; but it should not inquire into the general question of rating, as that was one which demanded the consideration of the Government. He cordially supported the Motion of his hon. Friend.

Mr. SCLATER-BOOTH said, that, owing to the extreme thinness of the House, he must defer going into the subject at length. In his judgment, the House would do well to pause before it embarked on so extensive a subject as the hon. Member had brought forward. It was, no doubt, a fact that the Public Health Act that passed in 1875 was by no means a final measure. He did not propose it in that sense. He quite admitted that it was capable of amendment, and thought that the incidence of sewerage and other sanitary charges might with advantage be inquired into from time to time; but the subject was so large and the House so scanty that he must apologize if he did not go into the question at the length which it deserved. The subject had certainly been introduced in too large a sense in the present instance; and it covered so much ground that he thought it would be mischievous for the House to deal with it in the form in which it had been introduced. Though the Sanitary Acts had not been long in operation, the expense which had been incurred under them was enormous and increasing; and it was therefore natural that there should be objections felt to proposals which might involve still further outlays. One would fancy, to hear his hon. Friend, that no money had been applied to sanitary purposes in rural districts; but, as a matter of fact, in the six years ending in 1878 no less a sum than £680,000 had been borrowed for that purpose by the rural authorities. He believed there was a general disposition throughout the country to recognize the common liability and responsibility which the ratepayers of each parish were under with regard to the health and welfare of the poorer inhabitants of the parish, and there was a readiness to accept the obligation, which, after all, was made comparatively light, by means of borrowing and repayments over extended periods. The value of land was enormously increased by drainage operations, for the construction of sewers benefited, not only the houses drained, but the land of the whole district. He was willing to admit there was something in what the hon. Member had brought forward. If rating for water supply were separated from rating for sewerage, there was a good deal to be said for rating the consumers of water differently from those who were benefited only by its provision for sanitary purposes; but the injustice which might have resulted from an unqualified system of rating was remedied by an Act, passed at the instance of the hon. Member last year, which came into operation only a month ago, so that it was rather too soon to re-open the question now. There were particular cases in which a house tax of a limited amount might, in like manner, be brought in in aid of the rates; and he would be willing to take the responsibility of making a proposal, when they had a little breathing-time, to discuss some of these local questions, which, unfortunately, they had not had during the last two or three years. But the question was not so pressing and urgent as to justify him in dealing with it now. He could not separate this Motion from a wider proposal contained in the 6th clause of a Bill introduced by the hon. Member, to whom he would put it whether it would not be more desirable to drop the subject for this Session and re-introduce it on a smaller scale next year? The proposal of the hon. Gentleman, if adopted, would in many cases be antagonistic to the object he had in view. The House would probably be of opinion that the hon. Gentleman had called attention to a very important and difficult subject; but it was one which was not lost sight of by his Department or himself.

Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £29,540, to complete the sum for Royal Palaces.

GENERAL SIR GEORGE BALFOUR said, he must again urge his annual objection to the mode in which the Royal Palaces were dealt with. He had no wish to interfere with the comforts of the Crown; but now that it had made its bargain with the country, it ought scrupulously to adhere to that bargain. What he complained of was that certain of the Palaces not used for occupation by the Crown were used by the Crown for purposes which had not been approved by Parliament. St. James's Palace, Kensington Palace, and Hampton Court Palace were all used for purposes different to those for which they were originally intended, and Parliament was called on to provide funds for keeping up these Palaces for purposes not sanctioned. And he objected to this very strongly, because he thought that while Parliament ought to respect the rights of the Crown, the Crown ought not less strongly to respect the rights of Parliament. He had no hesitation in saying that large expenses were incurred for these Palaces for the comfort and convenience of the persons who resided in these three Palaces which never ought to be charged on the public purse. He did not deny for a moment that they ought to provide in a fitting manner for those who, or whose relations, had served the country well, or for the relations of those who had done service to the State; but that could be done far better and far more economically than by giving them expensive apartments in a Palace. These persons would benefit far more by having an allowance to provide suitable houses than by having apartments in a Palace; and he considered that in many ways the arrangement was an objectionable one, both socially and economically. As a consequence of the occupation of these Palaces, they had nowhere to put Royal guests who visited this country, and they had to stay at hotels in London. These Palaces were intended for the occupation of the Crown itself, and he therefore objected to this occupation of them by other persons. The result was that these Estimates were growing greater every year, in a most unsatisfactory manner. This Class I., for Palaces and Buildings, in 1878-9, amounted to £1,333,620, while this year it had swelled to £1,426,898; and he had very little doubt that the Supplementary Estimates would bring it up to £1,500,000. This was a class of expenditure which ought rigidly to be kept down, and a class in which they would certainly expect to find economies practised at a period when the pressure of hard times upon the people of the country rendered reduction necessary in every possible way. Yet they found that the first thing proposed to be cut down was the Naval and Military Estimates, without caring a straw whether they could be safely reduced or not, or more economically managed as these two Services might be; while every effort was made to avoid cutting down the Civil Service Estimates. He must protest against the waste and extravagance shown in these Civil Service Estimates. In 12 years they had very largely increased at the rate of nearly 50 per cent, while there was no such waste or no such increase in the Naval and Military Estimates. He was aware of the plea urged that the late Government were mainly responsible for the increase in this expenditure by their education policy; but if they examined the Accounts they would find that, irrespective of that educational item, the present Government had very largely increased it, as also the Civil Service Expenditure generally. Especially, as regarded this particular Vote, he objected to this system of providing apartments in the Royal Palaces for certain persons, and thereby increasing the public outlay; for although they or their relatives had, undoubtedly, deserved well of their country, they had not deserved any better treatment than many other persons who were not so well provided for, and no arrangements ought to be made by the Crown which entailed expenditure independent of Parliament.

Mr. GERARD NOEL said, the hon. and gallant Gentleman was altogether in error in supposing that these suites of apartments were a great cause of expense. In the case of Hampton Court Palace, for instance, there were there 43 or 44 different sets of residences, and their whole cost in the Vote was £850, which was an average of less than £20 each. But if the proposal of the hon. and gallant Gentleman were carried out, and lodgings elsewhere were provided for the occupants, the cost would be a great deal more. Houses would have to be taken for them which would cost, at least, £100 or £120 each; and, as a consequence, they would have an expenditure of £5,000 or £6,000 annually, instead of £850. Complaint had been made of the great increase in the amount of Class I.; but it must be remembered that the Embassies, the Customs, and the Inland Revenue Houses were now charged to this Vote, which formerly were charged to other Votes in the Estimates. Before bringing forward any complaints on this subject, the hon. and gallant Gentleman ought to have made himself acquainted with the facts of the case.

General Sir GEORGE BALFOUR observed that, to show the entire inaccuracy of the right hon. Gentleman, he need only take one set of figures. The right hon. Gentleman said that Hampton Court Palace only cost £850. [Mr. Gerard Noel: I beg your pardon. I said——] He did not interrupt the right hon. Gentleman when he was speaking, and he must let him have his say now. He said that Hampton Court only cost £850—["No, no!"]—he did not interrupt the right hon. Gentleman—whereas the Estimate showed that the amount was £8,333. So much for the accuracy of the right hon. Gentleman. He was also told that he did not understand the subject, and ought to make himself acquainted with the Estimates. He did try, as much as any man in the House, to do so; and he denied that the right hon. Gentleman had any right to come down there and teach him his duty. ["Agreed!"] He did not want to be "agreed" upon this subject. When the right hon. Gentleman chose to come down there and make such statements, he should resist the attempt at dictation to the utmost of his power. He was aware—and he had said so again and again—that certain new charges had been thrown upon Class I.; but that did not explain the whole increase in the expenditure in the Civil Service Estimates, which had been at the rate of 50 per cent within the last 15 years. It was no use for the Treasury to come there and twit him with incorrectness. It was for them to show how it was that these increases had been incurred. It was impossible for any Member of Parliament to discover from the public documents the way in which the Estimates were at present framed, how that increase had been incurred. He would defy any Member of the House of Commons to find it out without access to the official records. The Return that he himself moved for on this subject did not contain the information which he sought to obtain. He objected also to the way in which the right hon. Gentleman the Chief Commissioner of Works had put this matter. He did not for a moment deny the merits of those who occupied these apartments. He did not deny that they or their relatives had served their country well; all he said was that other persons had done equally well, and that, therefore, it was invidious to select particular persons to occupy these Palaces in this way, and that it was far more costly to the State than it would be by granting a money allowance. He did not wish to restrict the benevolence of the Crown in any way, and he would not object to vote a sum to provide these apartments elsewhere; but he did object strongly to this occupation of the Palaces by private persons; and thereby throwing upon Parliament the business of voting sums over which little or no control or check could be exercised. He was perfectly well aware that it would be useless for him, looking at the state of the House at that moment, to oppose this Vote; but he should continue to protest against it, and next year, when there would, he hoped, be a new House of Commons, he should renew his protest, if he retained his seat.

MR. GERARD NOEL complained that the hon. and gallant Gentleman misrepresented him. He distinctly said that £850 was the cost of the apartments, not the total cost of the Palace. He had all the other items in the charge for general repairs and maintenance, and he would give them to show that his statement was correct. Roofs and repairs, £700; defective wood-work, £150; cleaning furniture, £200; police, £150; restoration of carving, £200; general restoration—which had been going on during the last few years in different parts of the Palace, to keep them in respectable repair—£500; general repairs—including the drainage works—£1,750; Royal mews, £470; gas, £413; taxes, £415; contingencies and measuring, £197; private apartments, £850; making in all the total amount charged. No doubt the sum voted in Class I. was larger than in former years; but he had explained the reason why it was so—that expenses were now charged to it—for the Embassies, &c.—which were formerly borne by another part of the Votes.

MR. WHITWELL was very glad the right hon. Gentleman had explained this matter so fully; and he had no doubt that if the right hon. Gentleman had been in the House and had heard the first part of the hon. and gallant Gentleman's speech, the little misunderstanding which had occurred would not have arisen. But besides the £850 charged for the apartments, there was the item of £350 for furniture, and another of £410 for gas, all of which went a long way towards making the total expenditure on these apartments £1,500.

MR. GERARD NOEL said, of the £350 charged for furniture, £200 was charged for the pictures, and the rest was for furniture for other parts of the Palace used by the public, for blinds for the rooms, &c. No part of that furniture was for the private apartments.

GENERAL SIR GEORGE BALFOUR asked if the £200 outlay for the pictures was a salary?

MR. GERARD NOEL replied that it was not.

GENERAL SIR GEORGE BALFOUR said, there was £350 spent for furniture, and it was so stated in the Account. Then what was the £200 for, to which the right hon. Gentleman had referred? Was it a salary?

MR. GERARD NOEL said, it was for special cleaning and charge of the pictures.

GENERAL SIR GEORGE BALFOUR assumed, from the explanation, that a person was not paid a salary for the work.

MR. GERARD NOEL said, that the assumption was correct.

MR. E. JENKINS was inclined to believe that his hon. and gallant Friend had hit a blot in the Estimates, and the explanations given were by no means satisfactory. For instance, besides £5,846 spent in maintenance, there was £1,750 charged for drainage, and that amount, he supposed, would be scarcely so large if there were none of these apartments in the Palace. Hampton Court was not occupied in the way it should be as a show Palace; and this large expenditure of £5,846 was due, in a great degree, to the expenses of the apartments. The right hon. Gentleman said the apartments were tenanted by ladies; but anyone who went down there would see that a large number of long-legged males also enjoyed the advantages of the place. A very large part of this expenditure was, in fact, due to the occupation of the Palace by private persons. Anyone who went down there would see that very large sums were spent on the amenities of the place; and this private occupation did certainly very largely increase the expenses. For instance, there was a charge of £1,200 for a stationary steam fire engine, with vertical quick steam-raising boiler, and other things of that sort. Was there no other means of putting out a fire than this, and was this expenditure really necessary?

Mr. GERARD NOEL explained that the pumping station was three miles from Hampton Court Palace. Many years ago a main was laid down, but it was now very much out of order; and it was feared that it would burst if too much pressure were applied. Instead of putting down a fresh main, which would have been a very great expense, it was thought that the best way would be to take water from the ponds in the Palace by means of a steam fire engine.

Vote *agreed to.*

(2.) £2,475, to complete the sum for Marlborough House.

General Sir GEORGE BALFOUR said, he had no objection to make to this Vote for Marlborough House occupied by the Heir to the Crown. His only regret was that the Heir did not occupy Kensington Gardens Palace. At the same time, as the country had thought fit to lodge him where it had done, he should never think of grudging a substantial sum to provide for the comfort and convenience of the Heir to the Crown and his family.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £94,261, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Royal Parks and Pleasure Gardens."

Mr. E. JENKINS called attention to the very large sum put down for police, £20,459. To part of that there could, of course, be no objection. There must be police in the Parks; and it was, of course, only right that the nation should pay for them. But he observed that the very large sum of £10,661 was paid to the Metropolitan Police. Now, the Parks were used for Metropolitan amusements—and for Metropolitan politics also—and it did appear to him that it would be only right that the Metropolis should pay for the police who were employed on these services. He should like to know whether any communications had ever passed between the Office of the right hon. Gentleman and the Metropolitan Board of Works upon this question? Perhaps the view he had suggested had never occurred to the right hon. Gentleman before. It was well worthy of consideration whether this sum might not be fairly laid on the Metropolis, instead of being borne by the general funds of the country.

Mr. GERARD NOEL said, that view of the case never had occurred to him. In the year 1867, as the House would remember, there were disturbances in Hyde Park, with which the Park constables were quite unable to deal; and at that time the Park constables were removed, and the whole management of the Park was vested in the police, who were paid by the Office of Works, in lieu of the former constables.

Mr. E. JENKINS asked if none of the police were paid by the Board of Works?

Mr. GERARD NOEL replied, that the Board of Works did not pay for any of them.

Sir HENRY SELWIN-IBBETSON said, the hon. Gentleman was under a slight misapprehension. The Board of Works did not pay any of the Metropolitan Police. They were paid partly by a rate levied on the Metropolis, and partly by a contribution from the Imperial Funds, and they were under the authority, not of the Board of Works, but of the Home Office.

General Sir GEORGE BALFOUR asked whether these were two separate sums?

Mr. GERARD NOEL said, the £20,000 was for the constables in the different Parks, while the £10,000 was for the Metropolitan Police in Hyde Park and Richmond Park, but was included in the £20,000.

General Sir GEORGE BALFOUR remarked that the total cost of the police, then, was upwards of £30,000.

He should like to know who were the Ranger and Deputy Ranger?

Mr. GERARD NOEL said, the Ranger was the Duke of Cambridge; the Deputy Ranger, Colonel Clifton; and the Superintendent, General MacDonald.

General Sir GEORGE BALFOUR said, then about £400 was paid altogether for these Rangers and Deputy Rangers.

Mr. GERARD NOEL replied that that was so.

Mr. DILLWYN begged to move the reduction of the Vote by £185 for the expenses of the game in Richmond Park. The amount of the reduction was but small; but he moved the Amendment as the assertion of a principle. In the first place, he did not think the country ought to find game for the Park. If anyone had the right to sport there, the least that person could do was to find the food for the game. His Royal Highness the Duke of Cambridge had the game; and the least he could do was to find food for it. The House also paid a very large sum for keepers—£250 for the first, and £150 for the second—and he did very strongly object to that House turning itself into a game preserver. His strong reason, however, for objecting to this preservation of game in Richmond Park was that it interfered with the enjoyment of the Park by the public, as was shown by the constant complaints on the subject. He also wished to know whether the restrictions about this public Park were so stringent that even Volunteer regiments were not allowed to pass through without special permission? Again, he had been informed that the people were not allowed to use the Park for cricket or football. The people paid for the maintenance of this Park, and he considered it a monstrous thing that all these restrictions should be imposed upon their use of it. Such a system ought not to be tolerated; and he thought the Committee ought to show its sense of the objectionable character of the restrictions referred to by refusing to vote the money. There was another evil to which he wished to call attention. Some of the finest trees in the Park had disappeared, and he had been informed that they had been removed to make way for new plantations. One of the finest rows of trees had, to his own knowledge, disappeared almost entirely; and, besides this, while the new plantations had taken the place of the old trees, the public were shut out from them. He believed that the game had, in consequence of these restrictions, very largely increased. As a protest against a principle which he believed to be absolutely vicious and wrong—namely, the preservation of game in the Park, which prevented the public from having their free user of it—he begged to move the reduction of the Vote by the sum of £185.

Motion made, and Question proposed,

"That a sum, not exceeding £94,076, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Royal Parks and Pleasure Gardens."—(*Mr. Dillwyn.*)

Mr. GERARD NOEL said, with respect to the amount expended for the preservation of game in Richmond Park, the amount was only £150, and not £185, as the hon. Member (Mr. Dillwyn) supposed. And when the very great extent of the Park—some 2,400 acres—was considered, he did not think that the sum in question was a very large one. He maintained that many of the people who visited Richmond Park went there for the purpose of seeing the game only, from which they derived the greatest possible amusement. The hon. Member for Swansea (Mr. Dillwyn) had stated that the people were not allowed to use the portion of the Park in course of plantation; but he replied that out of the whole of the 2,400 acres there were only 246 acres laid down for plantations. The Duke of Cambridge had nothing whatever to do with these plantations being made, for they were being carried out entirely upon the responsibility of the Office of Works. He (Mr. Gerard Noel) had visited the Park last year, and had found that although five or six acres had been taken out of the Park 14 acres had been thrown in; and that was the rule—as soon as the plantations were sufficiently forward they were immediately thrown into the Park. During the three years he had held Office no single complaint, anonymous or otherwise, had reached him as to the liberty of those who went to Richmond Park having been in any way curtailed. On the contrary, he maintained that the people could use the Park in any way they pleased, and do what they like there, as long as they did no damage. With regard to the old oak trees, he had only to say that the greatest possible care was taken of them, and that none were ever felled that it was not absolutely necessary to remove.

Sir CHARLES W. DILKE said, that notwithstanding the Chief Commissioner of Works had stated that he had not received any complaint with regard to the exclusion of the public from certain portions of the Park, and other restrictions referred to by the hon. Member for Swansea (Mr. Dillwyn), he could inform him that several hon. Members had their pockets full of letters of complaint upon that subject. And he could not help thinking that if the public had not complained to the right hon. Gentleman it was because they thought it would be of no use to do so. If hon. Members wanted to see the real state of feeling on the subject they could not do better than turn to the local newspapers. He ventured to say that those newspapers, published in the neighbourhood of the Park, were unanimous in their attacks upon the Government in relation to this question. They were all agreed upon it, and he had read complaints in those columns year after year. When the question was raised, three years ago, the House was informed that the public were delighted to see the game in Richmond Park, and he (Sir Charles W. Dilke) believed that the people did like to see the deer; but it ought also to be understood that while they were in favour of keeping up the deer they complained of a sum of money being included in the Estimates as food for rabbits. It was true that some pheasants were reared; but the food was chiefly for rabbits, the grass of the Park being insufficient for both rabbits and deer, so that if the stock was to be kept up it became necessary to bring in an enormous quantity of food. There was a statement in the Guide Book to Richmond Park which was most in use, and which might be called a semi-official publication, that if untrue it was perfectly scandalous to the country to leave uncontradicted. The Book stated that the food for these rabbits was bought from the property of the Duke of Cambridge immediately adjoining, and paid for by the country. Was it a right thing that the public money should be spent in order to provide shooting for the Duke of Cambridge? In his opinion, it was a monstrous thing that the charge should be placed upon the country. He was sorry to notice that the right hon. Gentleman had not alluded in his speech to the point which had been raised by the hon. Member for Swansea with regard to the Volunteer regiments which were said to be excluded, nor to the prohibition of cricket and football. But surely, if they kept up Parks of this extent near London, it was wise that they should be used for the purposes of amusement, as well as for Volunteer Reviews. That, however, it appeared could not be allowed, because of the shooting of the Duke of Cambridge. The statement of his hon. Friend (Mr. Dillwyn) was perfectly true, that no regiment of Volunteers was allowed to march through the Park without special permission; and that was only given on condition that they marched along the road, and did not play bands. That was the question raised by the hon. Member for Swansea; and he (Sir Charles W. Dilke) trusted that the right hon. Gentleman would make some reply to it.

Mr. GERARD NOEL was perfectly certain that if there had been complaints against his Department as to the management of the Park he should have heard of them, were they anonymous or otherwise; and he would be glad if the hon. Baronet would let him see one of those letters with which he said that his pockets were filled. As to the Volunteers, he really could not say whether they were allowed or not to march through the Park. He had never heard of anything of the kind alluded to by the hon. Baronet the Member for Chelsea; and his own impression was that not only did some Volunteer regiments march through the Park, but that they actually drilled there. He was glad that his attention had been called to the statement contained in the Guide Book, that the Duke of Cambridge sold the food for the rabbits from his farm adjoining the Park, because he would have the opportunity of giving it the most distinct contradiction. It was the fact that his Royal Highness had no farm in the neighbourhood, and the country had not paid him one single sixpence in the way stated.

SIR JULIAN GOLDSMID was still obliged to consider the answer of the right hon. Gentleman unsatisfactory, inasmuch as he had not stated whether Volunteer regiments were allowed to pass through the Park without permission or not. He (Sir Julian Goldsmid) had been informed on good authority that no regiment was allowed to be marched through the Park without permission. He had always understood that Richmond Park was maintained in the same way as the other Parks, and hon. Members had just been told that it was intended for the purpose of public enjoyment. Now, the people had taken a very proper interest in the progress of the Volunteer movement, and nothing would affect the public mind more strongly than the exclusion of Volunteers from the Parks paid for out of the public purse. Another point had been raised by the hon. Member for Swansea, upon which he had received no reply, and that was with reference to the keepers. The hon. Member had inquired whether they received salaries beyond those usually paid to this class of servants, and had pointed out that the head-keeper in Richmond Park received £250 a-year. That sum, he was informed, was a most extravagant salary for a head-keeper. It appeared to him that, as the game was preserved by His Royal Highness, who did not care about it, the best plan would be to abolish both it and the keepers, and to allow the Park to be thrown open to the public in the same way as the others. That would be a satisfactory solution of the question, and would, moreover, have the effect of reducing the Estimates by the sum of £2,000. He considered that some more satisfactory explanation should be given by the right hon. Gentleman with regard to those matters referred to by the hon. Member for Swansea, particularly as to the Volunteers.

MR. DILLWYN accepted the statement of the right hon. Gentleman as to the amount of charge for rabbit food, and begged leave to withdraw his Amendment, with the object of proposing that the Vote be now reduced by the sum of £150.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. GERARD NOEL pointed out that the sum in question was charged for food given to the pheasants, and that it had nothing whatever to do with the rabbits.

MR. DILLWYN begged to move the reduction of the Vote by the sum of £150.

Motion made, and Question put,

"That a sum, not exceeding £94,111, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Royal Parks and Pleasure Grounds."—(*Mr. Dillwyn.*)

The Committee *divided:*—Ayes 33; Noes 56: Majority 23.—(Div. List, No. 65.)

MR. WHITWELL inquired if the right hon. Gentleman could inform the Committee whether or not the bailiff for the Royal Parks had to administer the farming operations?

MR. GERARD NOEL replied that the appointment was a new one. As a great deal of money had to be spent on the Parks for gravel and other materials, it was thought very desirable that this new appointment should be made for the purpose of checking expenditure, and the result had been most satisfactory.

GENERAL SIR GEORGE BALFOUR complained that in this Vote for the Royal Parks and Pleasure Grounds the items were so lumped together as to be most confusing. He hoped the Secretary to the Treasury would see that the items making up the various lump sums were not confused in this manner, and that hon. Members were enabled to attend to the Public Business in a proper manner, without having to guard against mistakes in the Estimates. In the body of the Estimate one "high bailiff" was inserted, whereas in the abstract there were two bailiffs, and the pay larger than for that of the one bailiff in the body of the Estimate.

SIR HENRY SELWIN-IBBETSON said, the hon. and gallant Gentleman had asked him to do a very difficult thing, and that was to prevent Members making mistakes. He thought this Estimate was fairly explanatory of what was done under this particular Department. It was quite true that the items of the two bailiffs were put together in a way which might mislead hon. Members. He should take care that it did not occur again. The real history of the matter had been told to the Committee. One bailiff was always required for the purposes of the farm, and the one recently appointed was really a superintendent of the workmen, although called a bailiff. He superintended small details, which it was impossible for the head of the Department to do.

General Sir GEORGE BALFOUR thanked the hon. Baronet the Secretary to the Treasury for the information he had given; but he had not been asked to prevent Members falling into mistakes. What was asked for was accurate information. The fact, then, seemed to be that they paid bailiffs for doing duties which the rangers ought to do. He complained of officers of high rank receiving large sums of public money, and then handing their duties over to petty officers, who were also paid by the public. He complained of the Duke of Cambridge and Colonel Clifton taking this money, while poor people were ground down. It was disgraceful to see this money given away to Rangers and Deputy Rangers.

Mr. WHITWELL said, he observed, in reference to Battersea Park, an item for "the Wilderness Garden." He supposed by Wilderness Garden was meant a place out of the way; for he remembered in another case, where a steam fire engine was purchased, it was put in the Wilderness Garden. It was placed here to be out of the way as an eyesore. He concluded this place in Battersea Park was a corner which could not be seen—a secluded spot.

Mr. GERARD NOEL said, there was a portion of the Park which had been neglected for some time. It was now being planted with shrubs and thorns, and that was the explanation of the item.

Original Question put, and *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £26,930, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Buildings of the Houses of Parliament."

Mr. MONK said, there was one question he should like to ask on this Vote. He observed that, besides the item of £3,570 for lighting, £1,750 was put down for the supply of oil lamps. What was the meaning of that? It was a sum about half the amount paid for gas lighting throughout the whole Houses of Parliament. It was stated that the sum was for oil lamps in the Divison Lobby and Retiring Rooms. He had been round the Lobbies, and he could find no oil lamps there. He knew of no oil lamps in the Lobby and Retiring Rooms. Even if the lamps were used, this seemed an extraordinary sum. To charge half the cost of the gas lighting for oil lamps was perfectly absurd. He could only hope that the Secretary to the Treasury, who was responsible for this Vote, had no intention of spending the money on oil lamps.

Mr. GERARD NOEL said, it could not be for the supply of oil lamps in the Division Lobby, for there they had gas. The sum was large, and he would not say it was all spent; but some must be kept in reserve. Sometimes the House sat until 3 or 4, and sometimes even to 6 or 7 in the morning, and there must be a supply in reserve.

Mr. MUNDELLA said, it was clear there was a misunderstanding. There were no oil lamps in the Division Lobby; there had not been an oil lamp there for the last 10 years. What one wanted to know was, how this monstrous sum of £1,750 was charged for oil lamps, when there was not an oil lamp to be found? He wished the right hon. Gentleman would tell them where an oil lamp was to be found? What was the meaning of such a charge? There must be something wrong about it.

Mr. GERARD NOEL concluded there must be a mistake; but though the hon. Member did not seem to be aware of it, there were many oil lamps used in the kitchen ventilation department and elsewhere. But he would inquire into the matter.

Mr. MUNDELLA said, perhaps the right hon. Gentleman would reduce the Vote by £1,750, and bring it up again. He begged to move that the Vote be reduced by the sum of £1,750 until an explanation was given.

Motion made, and Question put,

"That a sum, not exceeding £25,180, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Buildings of the Houses of Parliament."—(*Mr. Mundella.*)

The Committee *divided*:—Ayes 20; Noes 48: Majority 28.—(Div. List, No. 66.)

Mr. GERARD NOEL said, the matter on which they had divided required explanation, and he would afford it.

Mr. MUNDELLA said, he was glad to hear that, and he should not have divided if it had not been to make some protest against the item. It was obvious that there was scarcely an oil lamp to be found. Evidently, this was a form of Vote put down year after year, without sense or meaning in it.

Mr. E. JENKINS said, he wished to call attention to a matter which affected the comfort of Members of that House, and which was not without interest to the public outside. There was in this Vote an item of £2,770 for the attendance of police at that House; and he observed, also, that in Class II. there was a further charge of £430 a-year for the police in attendance during the Session. He wished to point out that the attendance supplied to that House was imperfect. It was difficult to call attention to this matter without reflecting upon very worthy functionaries; but he had no wish to do so. If one went to the Chamber of Deputies at Versailles he found a number of liveried officials, a room provided for strangers, a table at which they could write their name on a card, and other arrangements for their convenience; and then they could find half-a-dozen very polite persons ready to take the card, and find out the Member to whom it was addressed. He thought the arrangements outside the House of Commons for strangers were disgraceful. He knew that many gentlemen who came there and desired to find Members, even on matters of business, political and otherwise, were very often kept waiting half-an-hour in the outer Lobby with no place to sit down in. The outer Lobby was a most uncomfortable place, and the treatment given to strangers was calculated to bring the House into discredit. There was a great difficulty in getting at Members; and the only way to meet this was to have a sufficient number of attendants. He found that the police were employed upon work on which they ought not to be employed. He wished to guard himself from reflecting on the conduct of the police about that House. Every Member must admit the police were always ready and polite, and willing to do everything that they could to facilitate the business of Members. But, on the other hand, there were many objections to the employment of the police as messengers and attendants in a House like that. He thought the First Commissioner might signalize his Office by endeavouring to put the arrangements of the House, in regard to this matter—in the accommodation of strangers and of attendance—on some better footing. It was perfectly well known what took place. A gentleman came up from the country, and, like most constituents, he was anxious to see his Member. It was a curious fact—but it was true—constituents liked to see their Members. When he arrived at the door of that House in the outer Lobby he was encountered by two policemen. They were anxious to do their duty. They were policemen; they could not help being policemen; and they received the visitor as if he were anxious to enter the House upon some burglarious expedition. His card was sent in, and it reached the door. If the Member did not happen to be in the House there was delay. There was not sufficient attendance to go after the Members and find them out. The police were anxious to discharge their duties; but they certainly were over-worked in this matter. There was, as he had said, not sufficient attendants to look Members up in the various Lobbies, Dining Rooms, Reading Rooms, and so on. He would ask whether it was not possible to provide two or three pages—such as they had in the French Chamber—whose duty it would be to attend upon the door-keepers of the House, and also to place at the entrance from the Lobby a gentleman in attendance whose duty it would be to see that these pages were sent and dispatched through the House for the purpose of enabling Members to see those who came to the door, and who had important business with Members? Only the other night, while sitting in one of the rooms of the House —in the Library—two gentlemen waited more than 35 minutes, and at last went away, in consequence of his not having been found. Other Members could say that they had suffered in the same way. The system was a mistake. It had been the habit to use the police in that House in a way in which they ought not to be used. There were certain parts of the House in which the police discharged their duties, and always would discharge them, to the accommodation and satisfaction of every Member of the House. On the other hand, there were duties of attendance which ought to be discharged by another class of persons; and there ought to be a sufficient number of that class of persons to discharge those duties in an efficient manner. He carefully guarded himself from reflecting on the police or other officials in the House. It was a defect in the system which led to the difficulties which at present arose. He raised the question on this Vote, because it seemed clear that £2,770 provided the Members with too many police and too few attendants. If there were attendants now where there were policemen, he thought the change would be a good one. There were policemen where attendants ought to be. For instance, at the door of the Library there was a policeman, where a policeman was not wanted. There was another at the door of Mr. Speaker's exit into the Lobby; there were police almost within the precincts of the House itself. That could scarcely be necessary; and, to his mind, it did not look well. The doors should be guarded by police; but for attendance on Members and visitors he held there should be regular attendants, and in sufficient number to meet the wants of Members. He called the attention of the hon. Member to this; and he hoped something would be done to place the matter on a more satisfactory footing.

Mr. GERARD NOEL said, the duties and the regulations to which the hon. Member had referred were in the hands of Mr. Speaker; and he should put himself in communication with the right hon. Gentleman, and see if some better arrangements, in conjunction with the Serjeant-at-Arms, could not be made.

Original Question put, and *agreed to.*

(5.) £97,255, to complete the sum for Public Buildings.

In reply to Mr. Whitwell,

Mr. GERARD NOEL said, the Government had at present no intention of making any addition to the Government Offices, or making any large extension.

Mr. WHITWELL was understood, with reference to the Government Offices, to say that things as they were at present were very inconvenient, as well for the public as for the interior work of the Offices. There was one item in this Vote to which he wished to call attention briefly. The sum he referred to was £750, which it was proposed to take to enable alterations to be made in consequence of the admission of women to the examination in the London Universities.

General Sir GEORGE BALFOUR said, he did not find any reduction in the large sum for the rents charged for the hire of many houses for Offices. He should like to know whether any difference had been made in this charge in consequence of the erection of the new buildings for the Home Secretary?

Mr. GERARD NOEL replied that the Offices formerly occupied by the Home Office were no longer required, and the payment for rents, consequently, must have been reduced, although he could not tell what the exact amount was.

General Sir GEORGE BALFOUR remarked that he asked for this amount of rents two Sessions ago; but he had not yet succeeded in getting an answer. He should like to know whether there had been any reduction in this large sum of £38,000 for rents since the new buildings for the Home Office had been erected? The right hon. Gentleman, at all events, could make himself acquainted with the exact state of the case, and give them the information on a future occasion.

Mr. RAMSAY asked if the details were anywhere given of the sum of £3,595 charged for the ordinary repairs and maintenance of public, ecclesiastical, and collegiate buildings in Scotland? He did not at all quarrel with the amount; but he would like to know how the details were made up.

Mr. GERARD NOEL explained that he had not the individual amounts with him; but they included the Glasgow University and Cathedral, the University of Aberdeen, and the Cathedral of St. Andrews. The Vote was for the maintenance and repair of these buildings.

Mr. WHITWELL wished to know whether the Estimates for these amounts had been scrutinized by the Government officials?

Mr. GERARD NOEL replied that they were, as a matter of course, like every other Estimate, submitted to the Treasury.

Vote *agreed to.*

(6.) £13,285, to complete the sum for Furniture of Public Offices, *agreed to*.

(7.) £153,134, to complete the sum for Revenue Department Buildings, Great Britain.

Mr. WHITWELL wished to know whether there was any reason for the large increase in the charge for the Customs "maintenance and repairs?" It had increased from £4,807 last year to £8,539 in the present Estimate.

Mr. GERARD NOEL said, the Custom Houses were handed over to his Department last year, and many of the buildings were found to be in a very unsatisfactory condition. A considerable sum of money had to be spent on them to put them in proper repair, and that was the reason for the large increase in the Vote.

Vote *agreed to*.

(8.) £38,750, to complete the sum for County Court Buildings.

Mr. RAMSAY asked whether the amount for these buildings was charged exclusively upon the Treasury, or whether the local rates bore any part of the expenditure?

Mr. GERARD NOEL answered, that no part of this charge was defrayed from the local rates. The whole amount was charged entirely upon the Public Revenue.

Vote *agreed to*.

(9.) £18,018, to complete the sum for Metropolitan Police Court Buildings.

Mr. WHITWELL hoped the Treasury would take up this subject in the interests of the public at large. At present, not only were the central police courts charged on the general funds of the country, but every police court in London, from Hammersmith and Lambeth to Wandsworth and Greenwich, including, in fact, the whole of the Metropolitan district, were charged to the public funds. Considering the present serious depression in trade, and the way in which the taxes pressed heavily on the people in the country generally, he thought there was no reason for charging these police courts on the Public Revenues. All the Provincial police courts were charged upon the provincial rates, with the exception of this one instance, where £50,000 was charged on the rates. What, also, was the cause of the large increase in the Vote?

Sir HENRY SELWIN-IBBETSON said, this question was by no means raised for the first time. The principle followed, and it seemed to him a valid one, was that the police courts of the Metropolis should be treated as belonging to the whole country, rather than to a particular locality. A very large proportion of the population of London was of a migratory character, and was drawn from a very much larger area than the Metropolis itself covered. The people came from all parts of the Kingdom; and, that being so, it had been enacted by statute that the police courts of the Metropolis should be treated as a charge on the Imperial Revenues, rather than on the local revenues of the City itself. The large increase which appeared in the Vote arose from the necessity of reconstructing the Bow Street Police Court. A new site had been obtained, and an entirely new building would be erected there, in consequence of the unfitness of the present court.

Mr. RAMSAY recognized the force of the reasons assigned for making some exceptional treatment of the police courts of the Metropolis; but, at the same time, he did not see how the full charge on the Revenue could be justified when in every other case the cost of the police courts of the particular locality were borne by the local rates. Instead of the whole amount being charged against the Imperial Revenue, the proper course to take, in his opinion, would be to charge a proportion of the amount expended in erecting new buildings, or in the maintenance of the existing ones, on the local Metropolitan rate, in the same way as was followed in other places. The migratory character of the population of the Metropolis was a characteristic of other places also—such as Dublin and Edinburgh. He could speak from his own knowledge of Edinburgh. There the people paid the full cost of the maintenance of their police courts, while the population was, to a very great extent, of the same character as that of London.

Sir HENRY SELWIN-IBBETSON reminded the Committee that the fees and fines from these courts, amounting in all to about £18,000, were paid into the Imperial Exchequer.

Vote *agreed to*.

(10.) £6,803, to complete the sum for Sheriff Court Houses, Scotland.

Mr. RAMSAY said, the question he put a few moments ago with reference to the charge for English County Courts had reference to this Vote. The practice in Scotland was to charge half the cost of making new buildings required for the administration of justice, or of maintaining the old ones, on the local rates; while in England, as they had been told, the whole of the cost was charged on the Imperial Revenue. He did not understand how such an anomaly could be justified. He did not ask that Scotland should get more than she did at present from the Imperial Revenues; but he did maintain that Scotland had a right to be placed in the same position as any other part of the Kingdom, and that she should have, at least, the same proportion of the Imperial Revenues allotted to her as was given to England. The people of Scotland were, undoubtedly, poorer as a nation than the people of England; and he could not conceive, therefore, that the right hon. Gentleman opposite would maintain for a moment that his country should not only pay the same amount in taxes as the people of England, but should draw only half the amount drawn from the National Exchequer for the same purposes by the people of England. The fact that the people of Scotland contributed more to the Revenue per head than the people of England was in itself evidence that there was some defect in our present administration of the law. But he could not conceive how this anomaly could be justified, when the Sheriff Courts performed exactly the same work in Scotland that the County Courts did in England. He did not intend to move an Amendment, for it would be useless and a waste of time; but still he did think that the right hon. Gentleman opposite was bound to give them some explanation of the grounds upon which this practice was defended. The Scotch people were, in fact, treated worse than any other people in the United Kingdom, and it was not a way in which they should be treated. If he went to see the right hon. Gentleman on business he found himself treated with the same courtesy and respect that was paid to every hon. Member; but, notwithstanding all this courteous treatment, they were very unfairly dealt with in the matter of taxation. Scotland, in fact, paid more into the Public Treasury, and received less in return, than any other part of the Kingdom. If he could get the exact amount paid out of the Civil Service Estimates for each of the three Kingdoms, he believed the figures would show such a discrepancy that there would soon be a change. He was not an advocate for the relief of local taxation at the expense of the Imperial Exchequer, for he thought those who administered the local taxation were by far the best judges of what was wanted in the locality. He did wish, however, to see the same system in existence all over the Kingdom. For his part, he should not be sorry to see this grant withdrawn entirely, for he was convinced that the result of the Imperial grant was that many Sheriff's Court houses had been erected where they were not required. He could point out many instances where the Commissioners of Supply had obtained court houses, partly at the cost of the Imperial Exchequer, and had spent a far greater sum than was at all required. For instance, they were now asked to pay for the erection of a court house at Fort William, £3,480, and he did not believe the amount of fees received from the different cases which would be tried before the Sheriff at that court during the year would nearly cover the interest of that sum. He had not the actual figures with him; but he knew that the amount of business transacted there annually was very trifling indeed, and that instead of justifying such a large expenditure, the County of Inverness could of itself have provided all the accommodation that was necessary for one-half the present Estimate. He hoped the hon. Baronet would take these things into consideration, and would be able to afford some satisfactory explanation.

Sir HENRY SELWIN-IBBETSON said, he should be the last person to wish to see Scotch Members treated other than any other Members of the Imperial Parliament. He understood the hon. Member to maintain that the Sheriff Court houses were treated differently from the English County Courts. The procedure with regard to these Sheriff Courts, as the hon. Gentleman was aware, was regulated by Act of Parliament—he thought the 23 & 24 *Vict.* These court houses were erected on representations from the locality to the Secretary of State for the Home Department. He submitted the reasons stated by the locality to the Commissioners of Supply, and, if approved, plans and specifications were submitted to the Treasury for their approval. The main reason for the difference between the charge of the cost in Scotland and England was that the jurisdiction of the Courts in Scotland embraced not only the business done in the English County Courts, but the judicial business which in England was transacted at Quarter Sessions and Petty Sessions. This business in England was paid for from the local rates, while the County Courts, with their civil jurisdiction, were paid for out of the Imperial Exchequer. Also, the receipts from the English County Courts exceeded the amounts paid, which was not the case with the Scotch Courts. With regard to Fort William, the erection of the buildings was very strongly supported from the locality. The plans and estimates were resisted by his right hon. Friend and by the Treasury for a long time; but as the alterations they suggested were found to be utterly impracticable, they gave way. He understood that there had been some increase in the cost of building materials, which explained the revised Estimate.

MR. FRASER-MACKINTOSH said, he was disappointed at the remarks made by the hon. Member for the Falkirk Burghs (Mr. Ramsay) with regard to the Court House at Fort William. The local authorities gave the matter their most careful consideration, and it was found necessary to apply to the Treasury in order to get a new Court House. It was thought that the county of Argyll, which would benefit by the work, would have come forward and taken a share of the expense, but they utterly refused to do so; and the end of it was that the county of Inverness had been saddled with half of the cost, although part of the business of the county of Argyll was carried on there. He did not think his hon. Friend (Mr. Ramsay), remembering the part he took in the matter, would have fired this last shot at the county of Inverness. He must say, on behalf of the Inverness authorities, that they had no wish whatever to go to the expense of building Court Houses which were not required, and in this case it was undoubtedly a fact that the necessary accommodation did not exist. As to the £3,400, it was only half of that sum that the Government were called upon to pay; and with regard to the business of the Fort William Court, litigation in the Highlands was not so extensive as in the large towns further South; but, still, it was necessary that in a wide district like that there should be suitable provision for the conduct of civil and criminal business, and he maintained that the proposed buildings were not more than the circumstances required.

MR. RAMSAY wished to say that it was not his intention to impugn the action of the Home Secretary or the Commissioners of Supply for the county of Inverness. The facts mentioned by his hon. Friend were quite correct. He did fight the battle of the county of Argyll, and he fought it successfully, against the erection of a useless building at Fort William. He called it useless, because it was useless as regarded the county of Argyll; and the truth of his remark was proved by the fact that that county was not held liable for any portion of the expense. He did not think the number of cases tried at Fort William justified the erection of that Court House, at the expense of either Inverness or Argyll. The judicial statistics and the return of business which came before the Court at that station showed that there was little or no business done. He had, however, no desire that Fort William should be denied the £1,750; but he did not think that the system of extending to England the payment of the full amount was justified by the fees being so great in the County Courts. Although a greater amount of fees was paid, the question was left in the same position, as he would be able to show if he had before him the necessary statistics.

Vote *agreed to.*

(11.) £99,300, to complete the sum for New Courts of Justice and Offices.

MR. MONK thought it would be desirable that the right hon. Gentleman should inform the Committee whether the new Courts would be completed within the time specified? If he were unable to do this, perhaps he could state what part of the Courts would be occupied during the present year, and, if possible, when they were likely to be finally completed and ready for the transaction of public business?

Mr. GERARD NOEL said, that the Law Courts were divided into two parts, and that the eastern wing was finished and ready for occupation. With regard to the main body of the building, a work of great magnitude, the terms of the contract were that it should be completed within the year 1880; but he could not state whether that would be effected.

Mr. WHITWELL thought that the right hon. Gentleman, in giving information upon the subject of the new Law Courts, which it was most important that the country should receive, had omitted to say whether he could form any opinion as to when the west wing of the building would be completed, so as to enable the more important Courts to occupy their respective positions. The original Estimate of cost for the wing was two sums of £750,000, making a total of £1,500,000. On the other hand, the expenditure up to the present time had been £1,406,000, so that there remained something short of £100,000 to complete the whole work of the west wing. Did the right hon. Gentleman calculate that the whole original Estimate of £3,000,000 would be exceeded? Perhaps he would inform the Committee whether the original would be much increased, and when the west wing would be finished and opened for public business?

Mr. GERARD NOEL said, it was impossible to say at the moment when the west wing would be completed. Many things had occurred to retard the progress of the work—such as strikes and frosts—and it was, of course, possible that other circumstances might arise to prevent its completion within the contract time. He (Mr. Gerard Noel) did not look forward to its completion before the year 1881. It was true that the original Estimate for that part of the building was £750,000; but a second Estimate of £826,000 was subsequently made, and there was at present no sign that the latter sum would be exceeded.

Vote *agreed to.*

(12.) £111,100, to complete the sum for Surveys of the United Kingdom.

General Sir GEORGE BALFOUR desired to call attention to an old complaint of his with regard to the pay of four companies of Sappers employed upon the Survey of the United Kingdom. The regular military pay and allowances of these men was defrayed by the War Department; but their extra pay came from the Estimate then before the Committee. And instead of all the charges being paid for by the Estimate drawn out by the Board of Works, and all borne by the country generally, it was divided between the Army and Civil charges. He trusted that the Secretary to the Treasury would bear that fact in mind when he brought the subject—as he (Sir George Balfour) hoped he would—before that Department, in next year's Estimates. Again, he did not think that the annual Report of the Survey was presented in due time and in sufficient detail to satisfy the inquiries made about that Survey. The work was one of great value; and Members were constantly asking what progress was being made in the Survey of different parts of the country? It would, therefore, be well, in his opinion, to have a clear and distinct statement of the progress made included in an annual Statement, as also the future plans for work. The country had gone to a great expense in preparing admirable Surveys of the Kingdom, and they were constantly told that England was far in advance of other countries in the excellence of its Surveys; but having incurred the expense they took care, by high charges, to prevent the maps, and valuable information collected by the outlay of millions, from getting into use. If the Secretary to the Treasury desired a complete set of maps of his own county he would have to pay £18 or £20 for it. When the excellence of the maps was considered he agreed that £18 was not much to pay for them, but it was a large sum in itself; and he thought that every hon. Member should be encouraged to have a complete map of his county. At all events, the Government could afford to supply the maps for about one-eighth of that amount. By this means the issue of the maps would be very considerably enlarged; while the Government would be at no extra cost for carrying on the preparation of the other maps of the Survey. He trusted that the Secretary to the Treasury would attend to his suggestions.

Sir HENRY SELWIN-IBBETSON said, that with regard to the first point, so long as the Sappers, and non-commissioned officers of Sappers, remained soldiers they were subject to the discipline of the Army, and could not be treated as belonging to the Civil Service as well. The result which the hon. and gallant Gentleman wished was that soldiers should become merely Civil servants of this particular Department. It was impossible to place them in that position so long as they remained in the Army; and they could not, therefore, be placed upon the Civil Service Votes. With respect to the reduction of the charge for the Survey, he might point out that the price was reduced, in 1866, from 5*s*. to 2*s*. 6*d*. per sheet; but that Sir Henry James, who had the management of the Department, was opposed to any further reduction; his opinion being that any further reduction would result in a great loss to the country. At the same time, the hon. and gallant Gentleman might rest assured that he would look into the case, with a view to seeing if any further reduction could be made in the price of the Survey.

GENERAL SIR GEORGE BALFOUR observed, that he could answer the objections of the Secretary to the Treasury by stating that there were two conditions under which it was said soldiers were subjected to military law, and these were simple; one being if they received pay, it was said they were subject to military law; and the other was that if they had been duly "listed," they were also subject. It did not depend on how they were employed. Both conditions were applicable to the Sappers employed in the Survey, so that their liability would be the same as if they did not receive pay. But he could see no objection to their pay being taken over by the Civil Service and refunded to the War Office. With respect to the other point about the cost of maps, he might say that he had had some discussion with Sir Henry James—whose death he much regretted, and whose valuable services to the Government he was anxious to acknowledge—and if the hon. Gentleman had known that lamented officer, he would not have been surprised at the objection taken by him against lowering the price. He might say that he had been into the question of the price, and the necessity of keeping it at 2*s*. 6*d*., and his opinion was that it might be very well reduced more than half. Moreover, if the Survey maps were wanted for one county, then the sale of maps of other counties would, if sold at cost price, keep the Department at Southampton in work; but there were many ways of economizing — for instance, a very large sum, indeed, had to be paid with regard to the laying out of money on account of stores for the Department. He hoped that an examination would be made into the amount of stores in hand, and that more care would be taken of them. At present, he did not know how they were examined; but formerly, when under the War Office, they were all looked at within every five years. In his opinion, it was of great importance to look after these things with exactness and regularity; for in that way money now largely invested in stores might be curtailed, so as to allow of maps being sold cheaper than at present.

MR. GERARD NOEL was much obliged to the hon. and gallant Member for his suggestions, which he would bear in mind.

Vote *agreed to.*

(13.) £17,386, to complete the sum for Science and Art Department Buildings.

MR. E. JENKINS observed, that there was a great deal of confusion in the manner in which these accounts dealt with the Science and Art Museum at South Kensington. When examined, it would be found that the accounts were so dexterously arranged that it was altogether impossible to tell where money was being spent. They only dealt in that place with the Science and Art, apart from building. The Art Library was originally estimated to cost £80,000; but now it seemed it would cost the country £160,000. This Estimate was taken under the head of "New Buildings." As he understood, a part of that—namely, £16,000—was proposed to be taken towards the £80,000 which had been voted for the Art Library. The Art Library re-appeared in these Accounts, having been once before voted, and the money expended. Then there was the sketch, which for many years had been running through the accounts. He wished to ask whether there was any hope of getting rid of that item? It was to cost £3,000, and they had already paid £1,200, and it would be a satisfaction to know if there was any period at which the sketch now being made by Sir Frederick Leighton would be finished. With regard to the works of internal decoration, they found that students were employed on them, and that a grant of money was voted by the House for the decoration, painting walls, and so on. Towards that, £1,560 was voted; but later on appeared the item of £2,000 or £3,000 towards the work done by these students. He would like to know whether that work was internal decoration, or how the money was to be spent? Whether it was for the Science and Art Department or the Museum? If that information were furnished, it would serve to give them some sort of notion as to whether the money was being properly spent. The sum of £16,000 was asked for New Buildings, and £2,555 for maintenance; but there were other sums asked on account of works of internal decoration, in addition to the fatuous sketch of Sir Frederick Leighton. He should like the right hon. Gentleman to give some kind of promise that the works at South Kensington would be put into such order that they could understand more about them, and hon. Members might be enabled to appreciate the Estimates with less difficulty. He confessed, that after looking into the matter with some care, in order to determine what criticisms to offer, it was impossible to fully understand the accounts, by reason of the manner in which the items were stated. Would the right hon. Gentleman tell the Committee whether the £16,000 proposed to be used during the year 1879-80 would come under that head C, and also inform them when they might hope that the sketch of Sir Frederick Leighton, which had been going on for so many years, would come to an end?

Mr. GERARD NOEL said, that in 1876, as hon. Gentlemen were aware, an Estimate was placed before the House for £80,000 on account of the Art Library, and some portion of that was proposed to be voted that year. With regard to the item of £800 voted, it was for the enlargement of the sketch by Sir Frederick Leighton, which he was happy to say would be completed before the end of the year. With regard to the works of internal decoration, they were for the refreshment room and other parts of the building.

Mr. E. JENKINS inquired, whether it was not true that all the designs for internal decoration were made by pupils at South Kensington? A very heavy charge was made a year or two ago for those designs, and it seemed to him that they never came to an end. Sometimes they got it under that head, and sometimes under the head of Education at South Kensington, and not for Science and Art expenses at all. It would be satisfactory to know how these matters were paid for. Were those students paid under the head of Education, or that of Science and Art, or were they not paid at all?

Mr. GERARD NOEL said, that it was true that the designs for the Science and Art Museum Buildings were originated by students in that Department.

Mr. WHITWELL asked what was the nature of the sketch to which allusion had been made?

Sir HENRY SELWIN-IBBETSON said, that he had seen the sketch on the occasion of an inspection he had made at South Kensington. It was an allegorical illustration of war, and was well worthy of the eminent artist by whom it was being executed, and of the position in which it would be placed.

Mr. WHITWELL had been anxious to know what it was from some hon. Member who had seen it; he understood now that it was a sketch for the purpose of decorating the walls of the Library, and was the work of Sir Frederick Leighton, P.R.A.

Vote *agreed to.*

(14.) £3,919, to complete the sum for British Museum Buildings, *agreed to.*

(15.) Motion made, and Question proposed,

> "That a sum, not exceeding £39,476, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Erection of a Natural History Museum."

Mr. E. JENKINS wished to resume the criticisms which he had been carrying on for some years on these buildings. He was very glad to see his hon. Friend in his place; for when he occupied the position of Assistant Secretary to the Privy Council he made a statement which had turned out not to be accurate. He stated that the Natural History Museum would cost the sum of £350,000, and no more. Two years ago, he (Mr. E. Jenkins) had called attention to the fact that that sum had been exceeded; for last year, in addition to the Estimate of £350,000, a further amount was voted, making the cost for the buildings alone amount to the sum of £395,000. Further than that, £177,750 was intended to be taken for the internal fittings, and the Committee would thus see that it had been deluded into spending £220,000 over and above the original Estimate. His hon. Friend did not seem to recollect what he said on a former occasion, to the effect that it was certain that the shell of the buildings would be finished at the revised Estimate of £395,000. Having himself examined the buildings on that occasion, he had expressed an opinion that they would not be finished for the sum in question; but the hon. Gentleman had assured the Committee that they would be finished for £395,000. Now they found that there was a revised Estimate for £47,476 for additional works. It seemed that these buildings had been made into a kind of home for lost dogs, or a cattle market, for there were sheds and a tall manufacturing chimney; in fact, it was one of the most extraordinary public buildings that had ever been seen in that or any other country. The point was this—the House had been led into expending, first, £350,000, and then, on a revised Estimate, were assured that £395,000 would complete the work, and now they had a further Estimate of £47,476 for more outside buildings, in addition to which there was a sum of £177,750 to be spent on internal fittings, besides the amount to be paid for the sketch of Sir Frederick Leighton. It was trifling to deal with the House in that way. If £1,000,000 was intended to be laid out upon the work, it would have been better to have informed the House at the outset. It was a part of the extraordinary way South Kensington had of conducting its affairs. First, the foundations were laid, and a sum of money was spent on them; and when people saw that nothing more was being done, a further sum was spent upon those foundations, and then other Votes were taken, and the House was gradually drawn on to an enormous expenditure. He begged to move that the Vote be reduced by the sum of £5,000.

Motion made, and Question proposed,

"That a sum, not exceeding £34,476, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Erection of a Natural History Museum."—(*Mr. Edward Jenkins.*)

Mr. GERARD NOEL observed, that the hon. Member was quite right in saying that the Estimates had been revised; but it had been absolutely necessary that they should be. The original Estimate was only intended for the shell of the Natural History Museum; but circumstances had arisen which had caused the original sum to be greatly exceeded.

Mr. WHITWELL asked if the total expenditure would exceed £588,000? In his opinion, the hon. Member for Dundee was perfectly right in raising this question. When they came to a total of £588,000, the matter assumed serious proportions; and he wished to know whether that sum would cover the entire completion of the buildings?

Mr. GERARD NOEL said, that the revised Estimate for the buildings was £409,000, and they would be completed for that sum, and would be ready within six weeks from the present time.

Mr. WHITWELL said, that the total sum spent was, therefore, £588,000.

Mr. GERARD NOEL said, that in addition to the £409,000 forming the revised Estimate, there would be a further sum to be provided for fittings.

Mr. WHITWELL inquired how much the amount to be spent on internal fittings would exceed £177,000?

Mr. GREGORY asked if the sums estimated included any allowance for removal of collections?

Mr. GERARD NOEL said, they would cover the cost of removal; but no provision had been made for the reception of the collections.

General Sir GEORGE BALFOUR drew attention to the comprehensive manner in which those Estimates were prepared, and the very superior plan adopted with regard to the Estimates for money spent on the Courts of Justice. The whole of the vast expenditure for the Natural History Museum was lumped together in large amounts, without any of the subsidiary details of those several lumps of money. The practice of Parliament required that each item should be broken up and the component parts detailed. He thought that information similar to that given with respect to the Courts of Justice, in at least as minute detail, should also be given with respect to this Museum outlay.

Mr. E. JENKINS wished to ask how much the towers would cost? These towers had been discarded by the hon. Gentleman's Predecessor; but it was now stated that they had been found necessary. Was it the case that a whale or a sea-serpent was to be hung up there? As so much had been added to the Estimates last year, he thought they should have further information as to the purpose for which the money was required. For his own part, he did not for one moment grudge money spent for making a home for those great collections; but he did object, and protest, against a system of gradually bringing the country into great expenses, which were never contemplated at the outset. It was now stated that £588,000 would complete the buildings; but he should like to know whether, if he moved for the Estimates, the original Estimates, and the various revised Estimates, his right hon. Friend would furnish them to the House?

Question put.

The Committee *divided* :—Ayes 10; Noes 57: Majority 47.—(Div. List, No. 67.)

Mr. WHITWELL explained that he should not have taken part in the last Division had his hon. Friend been able to obtain some information with regard to the large increase in this Vote. Even now he did not fully understand the position as to the towers, which it seemed were formerly rejected. It was a very unsatisfactory thing when plans were first adopted, then rejected, and then re-accepted. He should like to know whether the right hon. Gentleman would cause drawings of the Museum to be placed in the Library or the Tea Room of the House showing the towers, so that Members might judge of the effect of the restoration?

Mr. GERARD NOEL hoped the hon. Gentleman would not ask him to do this. To prepare the plans in the way indicated would cause some expense; while the hon. Gentleman would be able to see all that he understood him to want if he would visit the Museum now in course of erection.

Mr. WHITWELL asked whether the towers were in course of erection?

Mr. GERARD NOEL replied that they were now being built.

Mr. WHITWELL said, it would answer all he wanted, if he went and looked at them.

Original Question put, and *agreed to.*

(16.) £16,800, to complete the sum for Edinburgh University Buildings.

Major NOLAN said, he did not at all wish to oppose this Vote. He only desired to make one or two comments on it, and to ask a question about it. He found it was an instalment of £20,000 out of a total grant of £80,000 for University buildings in Edinburgh. He entirely approved of the Vote. He thought it was a very proper thing for the Government to give money in aid of a Scotch University, particularly as he believed the University was in accordance with the wishes of the people of Scotland, and their desire, as expressed by the majority of the population. The only condition of this Vote of £80,000 was that not less than £92,000 should be raised by private subscription for the erection of the buildings. He wished the Government to point out where the distinction lay between Scotland and Ireland. In the latter country several sums had been raised for a University, not so large as £92,000, perhaps, but still very large subscriptions. As to the wishes of the people of Ireland, though, perhaps, they were not quite so unanimous in their wishes as the people of Scotland, yet, practically, they were unanimous in desiring that their sons should be educated. He wished to know whether, if at any future time a similarly large sum were raised in Ireland towards University buildings, the Government would be as ready to aid the Irish people in erecting a University as they had been anxious to do in Scotland? He would also like to ask whether, if Irish Members were willing to agree that a certain sum of money from the Church Funds should be devoted to University buildings, the Government would be willing to give aid out of the Imperial Funds in the same proportion as that followed in the case of this grant? Supposing that Irish Members agreed that

£92,000 should be voted out of the Church Funds, would Government give £80,000 out of the Imperial Funds? [*Laughter.*] Well, hon. Members might laugh; but this was a serious question. The Government helped the people in Scotland to build their University; and when they were asked to apply the same principle to Ireland, they only laughed—for the laughter, as he saw, began on the Government Bench. It seemed to him to be a case in point. They were voting large sums for University education in Scotland, and leaving the people of Ireland without any University education which they could accept.

Sir HENRY SELWIN-IBBETSON said, he could assure the hon. and gallant Member that the only thing which had raised a smile on his part was the ingenious proposal of the hon. and gallant Member for devoting certain public funds to the purposes of a Catholic University. The case at present before the Committee was not a case in which public funds had been so appropriated; but it was one in which private enterprise had been met by a grant in aid from the Government. The real reason why this Vote was agreed to for Edinburgh University was that the University itself was built originally with public money. It was erected between 1812 and 1827 out of a grant of public money, and the present Vote was simply a grant in aid for the enlargement of the late building. He thought there was some distinction to be drawn between the enlargement of an existing building, originally founded with Government money, and the erection of an entirely new one. At the same time, it would, perhaps, be safer to wait until a large sum had been raised in Ireland for this particular purpose before the Government expressed an opinion on the course they would take; because he should not like to shut himself out from relieving the Irish people in the same way that the Scotch people had been relieved. At the same time, he must remark that the Irish people had not shown the same enthusiasm on the subject that had been exhibited in Scotland.

Major NOLAN said, this was far too serious a matter to be passed over in this way. He understood the reasoning of the hon. Gentleman to be that Scotland having once got a great deal, was therefore to get a great deal more; but that, none having ever been given to Ireland, she must not expect to get any now. The second argument was that the Irish people had not shown the same enthusiasm as the Scotch for the cause of education by raising a large sum of money. The hon. Gentleman was wrong. A considerable sum of money had been raised in Ireland; and though, of course, it was not sufficient by itself to found a University, yet it was a considerable sum, and more would doubtless soon be collected if it were known that the Government would come forward with a grant of a corresponding sum, as was the case in Scotland. It would be very important, indeed, if the Government would tell them that they would treat Ireland in the same way that they had treated Scotland; and it would also be a very great encouragement towards private subscriptions in Ireland, where a great deal had been already done under every possible disadvantage. He did not really think the Government were treating the Irish people with fairness in this matter. At the same time, he would cheerfully vote this money for Scotland, because he believed the University teaching given in that country was in accordance with the wishes of the people.

Mr. E. JENKINS would not have risen but for the answer of the hon. Gentleman; but there was a fallacy underlying the remarks of his hon. and gallant Friend the Member for Galway (Major Nolan) which ought not to have escaped the notice of the Front Bench. He did not for a moment wish to throw cold water on the enthusiasm of the Irish people for University education; but he did wish to point out that the two cases were essentially different. The £92,000 raised towards the Edinburgh University had been subscribed by persons of all denominations—by persons of almost all denominations, in fact—for the purpose of providing a general University for the non-sectarian education of the Scotch youth. His hon. and gallant Friend, therefore, answered himself completely, when he proposed that a subscription for a Catholic University should be treated in the same manner. If he came to that House with a proposition for a subscription for a University for all Ireland, he was sure the House would listen to his proposal with respect; and, if necessary, no doubt, a very large sum would be granted to assist the general education of the people of Ireland. But his hon. and gallant Friend cut the ground from under his own feet the moment he asked for a subscription for a Catholic University. If that were granted, the Presbyterians of Ireland might ask the same thing, and the Churchmen; and, indeed, he did not see why the Plymouth Brethren should not have a University of their own. He was simply pointing out the distinction between the two cases; while he desired, at the same time, to guard himself very carefully from being supposed to take any hostile view against any proposition of a reasonable character which might be made to the House for the purpose of enabling the Roman Catholic youth of Ireland to obtain a University education. Any proposals of that sort of a reasonable character would receive his support.

Major NOLAN said, the whole proposition reduced itself to this—that Catholics were to be obliged to subscribe to Secular Universities because they were the best. He did not admit that they were the best; although, undoubtedly, they were the best for Secularists, just as Catholic Universities were the best for Catholics, and Protestant Universities for Protestants. It was another question of how far the Scotch Universities were strictly secular. His own opinion was that they were not. But, however that might be, he did maintain now, and always should, that while Secularists were entitled to have their Universities, they had no right to force them on other people, who did not like them, and would not use them, and yet have to support them.

Vote *agreed to.*

(17.) £14,062, to complete the sum for Harbours, &c., under the Board of Trade.

Mr. MORGAN LLOYD said, £4,000 was estimated as the increase in the receipts at Holyhead Harbour above what was received last year. Did that arise from an expected increase in the amount of traffic, or from an increase in the charges made for the harbour?

Mr. J. G. TALBOT said, the amount consisted, for the most part, of harbour dues.

General Sir GEORGE BALFOUR said, two Sessions ago he raised various objections to the expenditure on these harbours under the Board of Trade; and a promise was then given him that the money required for repairs to Dover Pier should not be expended until an opportunity had been given for ascertaining the cause of the great damage done to Dover Harbour by the storm on 1st January, 1877. He therefore moved for the Papers on the subject, those laid before Parliament not being complete; and, after considerable trouble, Lord Norton (who was then Sir Charles Adderley, and the head of the Board of Trade) gave him access to the official documents in the Office. He marked all the Papers likely to be of public use to the House of Commons on the subject, as it was agreed that he should disregard all those containing the reports of the petty quarrels which were to be found in them. His object in making the selection was not at all to object to the money being spent in repairing the damage done to the pier; for, after erecting the pier at an enormous cost, they were, of course, bound to repair it. His sole object was to ascertain the cause of a part of the parapet being washed away—whether owing to defective work, or to defects in the design—and to find out how this heavy expense could be avoided for the future. For this purpose he examined all the Office Reports on the subject, and marked the portions of public interest suitable for publication. They had not, however, been published; and he submitted that there had been a breach of faith in the Government going on spending this money without enabling Parliament to ascertain the real cause of the defects of that very costly work. He urged this complaint against the withholding of these Papers; because, knowing how important it was that the country should get more harbours constructed, he knew, also, that they could not expect to get them built until they got rid of the ignorance and inexperience, as shown in the many mistakes and blunders which the engineers had made in designing and constructing sea-coast harbours. He was so satisfied that the pier, as designed at Dover, was defective, that he offered, at the time, to accompany the President of the Board of Trade to that place, in order that he might see that the plan of the work was defective from the first. There was now no need to make a secret of this opinion. The engineer who designed the harbour had long since been dead, and his memory might, therefore, be left to take care of itself. But for his blunders in laying out the pier the damage done in January, 1877, would never have been committed. No one could go down to that pier without being struck by the way in which certain portions of the parapet had been swept away, while others had been preserved; the remarkable fact being that the outermost end, which was most exposed to the action of the waves, had been preserved; whereas that which was nearer to the land had not been preserved. The portion of the pier on the land end had not been affected—merely the part swept away between it and the further end which had escaped. The information which he had found collected in the records of the country about the harbours of England was very extensive, and they ought to turn it to account; and the defective design of the Dover Pier, as shown by the concealed records of the Board of Trade, would have added to that useful knowledge. If they did not benefit by the mistakes and blunders which they had made in the past, they should have a still greater expenditure to bear; and instead of £10,000,000, which the Returns he (Sir George Balfour) had moved for as the public expenditure wasted on harbours, they might have to pay £24,000,000 or £30,000,000 in attempting to make harbours which could not be constructed because of the want of practical experience as to how sea works ought to be laid out. He, therefore, objected to this Dover expenditure until the hon. Gentleman opposite, the Secretary to the Board of Trade, had examined the Office Papers. If he would look at them — and he would find his pencil marks still on them—he would then be able to judge whether this contention was unreasonable in asking for these Papers, and whether a grave lesson was not to be learnt from these defects in the works at Dover.

Mr. GILES remarked, that however much they might have spent on the original construction of Dover Harbour, there must also be an occasional expenditure for repairs. Remembering the tremendous storm which raged there in 1877, the only wonder in his mind was that a greater damage was not done to the pier. As it had to be repaired, he thought it would have been better economy to have spent the money at once, than to have spread the expenditure over two or three years. The hon. and gallant Gentleman had made some remarks about the great cost of harbours generally; but, for his part, he thought it was a pity the Government did not spend more money on harbours, as he believed their construction would greatly benefit the commerce of the country.

General Sir GEORGE BALFOUR said, he would gladly go down to Dover with the hon. Gentleman the Member for Southampton (Mr. Giles), and he would show him the badness of the design, so that he could see it with his own eyes. As to the suggestion that they ought to spend more money on their harbours, why there were already harbours on every part of the coast which had gone to wrack and ruin. Was not Dunbar Harbour a failure? Was not that going down as fast as ever it could! Let them ask the late hon. Member for Haddington, who went down to that harbour itself and saw and admitted the ruin. Where was Port Patrick and Wick? He could bring before the House a statement of some 35 harbours in various parts of the country, of which he did not think there were two in good order. He was a warm supporter of harbours—the country needed many more. But could the House be surprised that he wished to see the money of the country properly applied in future, instead of being wasted as in the past; and then, that he rose to protest against any more money being wasted on this Dover Harbour for repairs, which were rendered necessary entirely by the fault in the design? As to the way in which the money was spent, he agreed that it would have been better to have done the work at once, instead of spreading it over a series of years; but the Treasury must decide that, and if they chose to take the latter course, they must bear the fault of it.

Mr. J. G. TALBOT was willing to admit that the hon. and gallant Member who had just spoken (Sir George Balfour) knew more than he did about Dover Harbour. He would, however, endeavour to answer one or two remarks which had fallen from the hon. and gallant Member. If there had been any want of courtesy since he (Mr. J. G. Talbot) had had the honour of a seat at the Board of Trade, it was quite unintentional on his part; and it was certainly not the case that from any such cause the Reports referred to by the hon. and gallant Gentleman had not been presented to the House. He would also apologize by anticipation if it should be considered that the information which he might be able to afford upon the question then under consideration, in the absence of the President of the Board of Trade, was not as satisfactory as it might have been. The damage done to the harbour at Dover had been occasioned by a storm of exceptional severity, which occurred on New Year's Day, 1872; and hon. Members would be aware that, whatever the science and skill of man might do, there were forces of Nature which they could never hope to resist; and that, consequently, however strong they might make their works, some of them must at times give way. It had been complained that they had not spent the whole sum of money needed at one time; but had Her Majesty's Government asked for the whole sum, they would have been charged with the greatest extravagance. The harbour, however, could not be repaired in a day; and it was thought useless to vote more money than could be spent in the course of the year. The Government were acting under the advice of one of the most experienced engineers of the day—Sir John Hawkshaw—and up to the 31st of March, 1878, £35,000 had been expended in restoring the structure.

Mr. WHITWELL was sure hon. Members would be thankful for the little information which had been given to the Committee on the subject of the repairs to Dover Harbour by the Secretary to the Board of Trade (Mr. J. G. Talbot). He wished to ask, with reference to the amount included in the Estimates for repairs to the harbour at Holyhead, whether that large additional expenditure was on account of any special damage, or whether it was to make good the decay in the works which had been going on for so long? Hon. Members knew that the works at Holyhead had swallowed up an enormous sum of money, and naturally felt cautious when called upon to grant further sums for the same purpose.

Mr. J. G. TALBOT said, that the breach in the works at Holyhead had been made by a heavy storm during the late winter. He reminded the Committee that in moving for a Supplementary Vote for this harbour he had warned them that there would be further expenditure in the coming year. It could not be allowed to remain unattended to, and had therefore been stopped.

General Sir GEORGE BALFOUR observed, that having already said so much about Dover Pier, it was useless to repeat the words in order to meet the remarks of the Secretary to the Board of Trade.

Vote *agreed to.*

(18.) £153,856, to complete the sum for Rates on Government Property, *agreed to.*

(19.) £7,500, to complete the sum for the Metropolitan Fire Brigade, *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £122,644, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Erection, Repairs, and Maintenance of the several Public Buildings under the Department of the Commissioners of Public Works in Ireland."

Mr. M. BROOKS remarked, that this Vote had come on rather unexpectedly; and that, as there were very few Irish Members present, he thought it would be well if the Government were to consent to its consideration being postponed to another occasion.

Sir HENRY SELWIN-IBBETSON saw force in the appeal of the hon. Member for Dublin (Mr. M. Brooks), that the Vote should be postponed until a larger number of Irish Members should be present. He was, therefore, quite willing to accede to his proposal.

Motion, by leave, *withdrawn.*

(20.) £10,110, to complete the sum for Lighthouses abroad.

Mr. D. JENKINS remarked that there were two sums charged for the expenses of the lighthouse at Sombrero which required explanation. Again, there was a charge for the maintenance and repairs of a tender. He wished to know what were the expenses referred to? He was of opinion that it would be much more satisfactory if the charge for maintenance of the tender were kept perfectly separate from that of the repairs.

MR. J. G. TALBOT said, he was not at the moment in a position to give much information on the subject. There were two light-keepers at Sombrero, both of whom were Natives of the West Indies. He would endeavour to furnish further information.

MR. D. JENKINS said, he had not asked his question by way of a joke; and he repeated his opinion that the sum for maintenance and repairs of the tender being a large one—£2,000—it would be more satisfactory that they should be kept separate.

MR. RAMSAY regretted that the Secretary to the Board of Trade was not in a position to give the desired information; and as the amount referred to by the hon. Member for Penrhyn (Mr. D. Jenkins) was, in his opinion, also a large sum to spend upon a small tender, he suggested that the consideration of the subject should be postponed, until the information could be furnished.

SIR HENRY SELWIN-IBBETSON said, that the charge for the maintenance and repairs of the tender had always been placed in the Estimates in the form in which it then appeared. He agreed with the hon. Member (Mr. D. Jenkins) that it was quite right that the items should be kept distinct and separate. He had not understood the hon. Member to object to the manner in which the work was done.

MR. J. G. TALBOT said, the tender *Richmond* made the round of the light-houses once a-week to carry oil and other necessaries for the relief of the light-keepers. There was also a small schooner employed.

MR. D. JENKINS repeated his request that the separate items of maintenance and repair of the tender should be furnished.

SIR HENRY SELWIN-IBBETSON promised that the specific items should be given on Report.

MR. RAMSAY suggested that some account should be given at once.

MR. D. JENKINS hoped that at the same time an explanation would be afforded of the charge for freight for the light-house in question.

Vote *agreed to.*

(21.) £19,216, to complete the sum for Diplomatic and Consular Buildings.

SIR JULIAN GOLDSMID thought it quite time that the nation should have at Berlin, the capital of the first country in the world, a suitable house in which to lodge its Ambassador. He therefore asked the Secretary of State for Foreign Affairs whether he proposed to do anything in the matter? It would be remembered that in the case of Vienna, owing to the delay of the Government in accepting the advice of our former Ambassador, both the building and the site were much more costly than they would otherwise have been. He feared that the same result would follow with regard to Berlin. It was also to be remarked that we continued to spend very large sums at Constantinople upon the Embassy, and he would be glad to hear that it was now in a more satisfactory condition than heretofore. If he remembered rightly, about three years ago the Predecessor of the right hon. Gentleman sent out an Inspector to these works, and the result was that hon. Members were informed that a considerable economy would in future be effected in the repairs. The Palace at Constantinople had cost us much more than the Embassy House at Paris.

MR. GERARD NOEL said, he had been asked a question two years ago about the house at Berlin. At that time a surveyor was sent out, and three houses were offered; but the price asked for them was so exorbitant that it was decided not to purchase them. The house at present occupied by our Ambassador at Berlin was rented for 10 years from 1876, so that there was time for considering the question of building a new Embassy. The hon. Member for Rochester (Sir Julian Goldsmid) was rather in error as to the expense that was going on at Constantinople, for it would be seen that the cost of maintaining the Palace had decreased during the last two years; the expenditure of the present year being £1,416, as compared with that of 1878-9, which amounted to £1,617.

MR. RYLANDS thought the right hon. Gentleman was thankful for small reductions; but he (Mr. Rylands) thought that the hon. Member for Rochester (Sir Julian Goldsmid) was entitled to some further information than that which had been given. He was quite aware that it was true that there were some reductions in the cost of the Constantinople Embassy from last year, and had no intention of disputing that fact, as they all knew that the expenditure for a particular purpose was very much larger in some years than it was in others; but the fact remained that this Palace at Therapia had been for many years the most expensive and costly of all the buildings belonging to the British Crown. The cost of the building was fabulous; and it had been maintained every year by the expenditure of thousands. There had been appliances to protect it from fire; but when the Palace was in flames they were found to be entirely out of order—the building, which had cost £150,000, was burnt down, and we proceeded to erect another Palace. This was done at the expenditure of a large sum of money; and if the right hon. Gentleman would look at the Vote under consideration he would see that it was not for the re-building of the Palace, but simply for the maintenance of the new building, which ought to cost very little for repairs. It would be found that we paid for special work £150 a-year, and for the maintenance and repairs £600, so that for a new building we were asked to pay £750 since last year. In saying this, he was leaving out all the expenses of the Embassy, which also amounted to an enormous expenditure; but over and above all this, they were actually paying a Superintendent of Works £450 a-year. They were actually paying that sum to a person for superintending what had been only recently erected in place of that which had been burned down through the carelessness and neglect of a staff that had become so numerous as to be a perfect scandal by itself. These facts were a remarkable commentary on the observations of the hon. Member for Rochester (Sir Julian Goldsmid). It was a very remarkable fact that last year, when his hon. Friend called attention to the maintaining of that establishment, he was told that the Superintendent of Works was about to be withdrawn. Notwithstanding that, they were again asked to vote the salary. No doubt, it was supposed in former periods that the possession of an English Embassy in Turkey was a measure which had a great and important bearing on British interests; and it was then considered necessary to maintain a great establishment in order that the Sultan might look up to England as being the Power upon whose judgment and whose will the Sultan was to place his principal reliance. Now, that state of things had changed, and the Sultan had very little influence. No man to-day could suppose for a moment that anything could be done by the Sultan so as to interfere with the course of European politics. The Sultan was now a poor wretched Sovereign who had lost nearly all the influence which he formerly possessed. They could not even deal with him in reference to Egypt, yet they kept an Ambassador there with a salary for a Prince, and who was surrounded by a number of officials whose salaries and charges added very materially to the diplomatic expenditure. He (Mr. Rylands) really did think that the time had come when they ought to deal with that great sham of Constantinople Embassies, which cost the country so many thousands a-year, and he thought they ought to cut down, first of all, the expenditure of that Palace. He must say that he should be very glad to see that Palace sold; and he should be very glad to see a very large number of the officials, who were now kept at Constantinople at high salaries, disposed of in the meantime. He wished to point out to the right hon. Gentleman opposite that he considered the keeping up the salary of the Superintendent of Works there—a salary of £450 a-year, in order to look after the maintenance of that new building—was a thing that was scarcely creditable to the Office over which he presided. They were told, he thought last year, that the position of the Superintendent of Works was only temporary, and would probably be withdrawn at an early period; but now he found that the officer was still there, and, of course, so long as they gave a man £450 a-year to look after those works, he must find work to look after. He thought the best way to run up a bill for building repairs, architects' charges, and all sorts of charges, was to have a gentleman at a salary, whose duty consisted in finding out that extensions and improvements were wanted. He would strongly recommend the right hon.

Gentleman to withdraw the salary of the Superintendent of Works, and to cut down the expenditure of the Embassy as much as possible.

Mr. GERARD NOEL observed, that from the remarks of his hon. Friend it might be supposed that the cost of the Embassy at Constantinople had been increased. The contrary was the case. As compared with other Embassies, the expenses of the Palace at Constantinople was not exorbitant. If hon. Gentlemen would examine the accounts, it would be found that the expense at Paris, for instance, was much greater. The cost at Constantinople was between £400 or £500 a-year, and he did not think that that was much. The price of materials and labour at Constantinople were far higher than at Paris or London; therefore, more must be spent upon repairs at Constantinople than at the other Embassies. The hon. Gentleman was perfectly right in his recollection of what had occurred last year with regard to the Superintendent. He then told him that he would consider whether he was to be maintained at Constantinople. He had been maintained there for several years, because works had been going on which required a first-class person to superintend them. Those works were now completed, and the withdrawal of the official in question had been decided upon; and it had been further arranged to appoint a person, at a salary of about £150 a-year, to overlook the whole of the work at Constantinople.

Sir JULIAN GOLDSMID thought that the sum required for maintaining and keeping in good order the Palace at Constantinople was very considerable, and much greater than that spent at Paris. With regard to what had been said as to the cost of labour being greater at Constantinople than at Paris that was not correct, although it was true that the price of materials was greater. Then, again, in Paris, although the Embassy was a much older house than that at Constantinople, yet it was in a much more satisfactory condition. Since the right hon. Gentleman had expressed an intention of withdrawing the Superintendent, he could not understand how it was that the Committee was still asked to vote his salary.

Mr. GERARD NOEL observed, that the hon. Member for Rochester was incorrect in putting the cost of the Constantinople Embassy so high as he had. With regard to the salary of the Superintendent, it was true that he was to be removed from Constantinople; but he would still have to be maintained in some new appointment, and the other surveyor would also have to be paid. The Superintendent now at Constantinople would be put upon the establishment in another place at a reduced salary, for he was paid a large amount at Constantinople on account of the expense of living there.

Sir JULIAN GOLDSMID said, he would still like to know how it was that the Committee was asked to vote the salary of £450 for the Superintendent who was intended to be withdrawn? They were told that the gentleman at £450 a-year was to be removed, and someone else at £150 a-year was to be appointed. He did not think that the explanation of the right hon. Gentleman as to the continuance of the sum of £450 in the Votes was at all satisfactory. Why was that sum continued in the Votes, when the person to whom it was paid was to be recalled and dismissed?

Mr. GERARD NOEL stated, that the Estimates were framed in November and December, and it had only within the last few weeks been decided to withdraw the Superintendent from Constantinople; and although he was to be removed, a certain reduced salary would still have to be paid to him in England, as he would be retained upon the establishment of the Office of Works.

Sir JULIAN GOLDSMID said, that the decision had therefore been come to before the Estimates had been moved. It was perfectly open to the right hon. Gentleman to move for a smaller sum, or to inform the Committee that it was asked to vote a salary which was not intended to be paid. He did not think that a business-like course had been adopted in the present case; and he thought it justified the observations which hon. Members had thought proper to make upon the matter.

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Vote *agreed to.*

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(22.) £36,244, to complete the sum for House of Lords Offices.

MR. MONK asked why an allowance of £500 a-year in lieu of residence was made to the Clerk of the House of Lords? The Assistant Clerk had a salary of £1,800 a-year, and in addition was allowed £300 per annum for his official residence at 20, Old Palace Yard. He was sure that in the palatial building in which they were assembled there must be ample room for the residences for the Clerk of Parliaments and the Assistant Clerk. It seemed to him that in buildings which had cost so much money and contained so many separate rooms, there ought to be found an official residence for all the Clerks of Parliament, as well for those belonging to the House of Lords as for those belonging to the House of Commons, He should be glad to know why, if the Clerk of that House was provided with an official residence, the Clerk of Parliaments connected with the House of Lords should have no residence, but £500 a-year allowed to him in lieu of one?

SIR HENRY SELWIN-IBBETSON could not inform the hon. Member why those officials were not provided with residences within that building like the officers of the House of Commons. He could only imagine that it was owing to the fact that there was not a sufficient number of residences attached to the House to accommodate all the officers entitled to residences. It was usual to make allowances for houses to those officials for whom there were no residences. In some instances, he believed, similar allowances were made to officials of that House where the accommodation in the building was not sufficient for them.

MR. MONK thought that some further information should be given on this subject; for it was not a question of some subordinate officer being without a residence, but of the two principal officials of the House of Lords, who were certainly entitled to residences in the Palace of Westminster. It was incorrect to say that there was not room for them. If any persons were entitled to residences in the House, it surely was the Clerk of Parliaments and the Assistant Clerk. Perhaps the hon. Gentleman could inform the Committee where the non-official residences were situate, and where the Clerk of Parliaments was supposed to reside? In his opinion, the Clerk of Parliaments ought to have an official residence, and that residence should be known. It was an absurd thing to say that there was not room in the House of Lords for the principal official of that House. If no explanation was given on this subject, he should feel it his duty to make a Motion on it upon Report.

SIR HENRY SELWIN-IBBETSON said, that the real explanation of this subject was that the rooms provided for these officials had been appropriated, in the interests of the Public Service, for other purposes. He believed that that was done with the sanction of the officers concerned. The residence of the Clerk of Parliaments was in Bruton Street.

MR. MONK felt compelled to enter a protest against such a system, and should be glad if that protest would be seconded by some other hon. Member. He protested against the Clerk of Parliaments of the House of Lords being allowed to reside in his own private residence in Bruton Street. He ought to reside in the Palace of Westminster, just as much as the Clerk of the House of Commons. By residing in that House it was known where they were to be found; and Members ought not to have to go to Bruton Street, or elsewhere, to find the Clerk of Parliaments. It was a most improper practice; and it was a monstrous thing to say that because the Clerk of Parliaments preferred to reside at his private residence, some distance from the House of Lords, he should be allowed to do so, while his official residence and that of the Assistant Clerk were to be appropriated to the use of Public Commissions. There were plenty of rooms in that House and in the House of Lords where Public Commissions and Committees could be held. In the interests of the public, it was most undesirable that these officers should reside in private residences, paid for by the country, when official residences had been erected for them at the public expense.

Vote *agreed to.*

(23.) £41,711, to complete the sum for the House of Commons Offices.

SIR JULIAN GOLDSMID asked whether the Government had considered the relative scale of pay of the officers of the House of Lords and of the House of Commons? The gentlemen to whom the hon. Member for Gloucester (Mr. Monk) had been referring received larger salaries than were paid to the Clerks of that House. The amount of work done by the two sets of officers would not bear comparison for one moment. It was not necessary for him to state that the House of Lords sat only on rare occasions, and that its officers were not overworked; whereas the House of Commons sat very frequently, and for a long time together, and its officers had a very considerable amount of labour and work to go through. When there was that marked difference of salary in favour of the officers of that House, which had very little business, it was a matter of unfairness, which ought to be redressed; and he would ask the Secretary to the Treasury whether he had considered the matter, and had any proposal to make to the House on the subject? The same feeling existed now as had existed for many years past on the subject of these salaries. A re-arrangement of the salaries properly made would not involve the country in any additional expenditure.

SIR HENRY SELWIN-IBBETSON remarked, that the matter rested entirely with the House of Commons, and if the House thought that an alteration should be made in the salary of its officers, he would be the last person in the world to resist such an alteration; but at present each House really settled the salaries paid to its own officials. While the House of Commons had no control over the salaries of the officials of the House of Lords, it might, if it pleased, make an alteration and increase the salaries of its own officers. He would remind the hon. Member that it was at the proposal of the House that one of its most respected officials had had his salary increased. His salary was altered on the Motion of the House, and the House had it entirely in its own hands to regulate the salaries of its officials.

MAJOR NOLAN wished for some information upon a point of Order. The Secretary to the Treasury had told them that the House of Commons could settle the salaries of its own officers; but he should like to know whether, in that instance, an exception was made to the ordinary rule? Could hon. Members propose that the salaries of the officials of the House should be increased? The general rule was that it was only the Government which could initiate any proposal for an increase of the Estimates; and that a proposal for an increase could only be brought forward in the way which the hon. Member for Rochester (Sir Julian Goldsmid) had made the suggestion.

SIR HENRY SELWIN-IBBETSON had not intended to say that hon. Members could act in the way suggested. His meaning was that the Treasury would not stand in the way of an expression of the opinion of the House of Commons on the subject. He had pointed out that the suggestion that the salary of the Chairman of Ways and Means (Mr. Raikes) should be raised came from hon. Members, and that the salary was raised by the Government at the suggestion of the House of Commons. It only rested with the Government to increase the expenditure; but it would be for the House of Commons to express a wish upon the subject.

SIR JULIAN GOLDSMID said, that there was one point in the statement of the hon. Gentleman to which he demurred—namely, that the House of Commons had no right to control the salaries of the officials of the House of Lords. He considered that view entirely erroneous. If the House had no right to control those salaries, they ought to be taken out of the Estimates; but while they remained in, hon. Members of the House had a right to criticize them. He thought the Government should consider what salaries should fairly be appropriated to the different officers, be aringin mind the work to be done.

MR. GREGORY observed, that the question was how the opinion of the House was to be expressed that the salary of the Clerks should be increased? He did not see how any direct expression was to be given to their opinion; but if anything were to be gathered from the conversation that had taken place in the House upon the topic, it was that the feeling of the House was that the salaries of the gentlemen were now too small. He ventured to hope that the

Government would take this conversation, and such explanations as they had been able to give of their feelings upon this occasion, as an expression of opinion of the House that the salaries of the Clerks of the House should be augmented.

MR. RYLANDS said, he thought hon. Members could not help recognizing the very great and valuable services they received from the officers of that House. He should certainly be very much disinclined to deal with officers whose services were of such a valuable character in a niggardly manner. At the same time, they were approaching the subject in a way which was neither convenient nor business-like. His hon. Friend the Member for Rochester (Sir Julian Goldsmid) pointed out that a discrepancy existed between the salaries of the officers of the House of Lords and those of the officers of the House of Commons. He said, very truly, that the officers of the House of Lords had nothing like the same amount of duty to perform as their own; and, therefore, he said that it was an unreasonable thing that their officers should not be paid as much as the officials of the other House. It might be a reasonable thing to bring down the salaries of the officers of the House of Lords to the amount paid to those of the House of Commons. He (Mr. Rylands) did not say whether it was reasonable to increase the salaries of the officers of the House of Commons; but what appeared to him to be the proper course to pursue was this—that the Government should deal with the whole question of the salaries of the officers of both Houses. They ought not to be satisfied with a dull, loose, and desultory conversation such as this—a conversation in which very few hon. Members participated; but, on their responsibility, they should carefully consider the amount of duty performed by the officers in the two Houses; and, as suggested by his hon. Friend (Sir Julian Goldsmid), they ought to prepare a plan under which, if any officers were underpaid, their salaries should be increased, and if any officers were overpaid, their salaries should be diminished. He thought this was a matter in which there would be little difficulty in arriving at a proper arrangement between the two Houses; but it was most undesirable that in regard to the salaries of public officials in any Department whatever that they should, by a discussion such as this, seek to influence Government probably to make changes in salaries which might not be absolutely necessary or justified.

MR. O'CLERY said, he had brought the matter forward on a previous occasion, and then he thought it his duty to institute a comparison between the amount of work done by the officials of the House of Lords and those discharged by the officials of the House of Commons. At the time the salaries were arranged the cost of living was little more than half what it was at present. He believed that inquiry was instituted; and many persons in authority thought that it would be unnecessary to increase the salaries, forsooth, because 20 persons would apply for a vacancy at the present salary. He hardly thought it was fair to bring forward such an argument as that. It was not fair, at all events, to bring it forward as a reason for refusing an advance of salary to men who held positions of trust. It was contrary to usage, so far as he knew, to put up situations—posts, he would rather say, of trust—involving the strictest attention to duty, to public competition, or to offer them to men who would bid the lowest price. If that principle were adopted, the highest officials in the land would have many competitors. He had no doubt that there was not a post in Her Majesty's Government that they would not get 20 gentlemen in England ready to do the work for half the sum that was paid to the present occupant. At the time the Chairman of Committees took his position the comparison was made between that office and the one held by the Chairman of Committees in the House of Lords; and that was one of the chief reasons advanced why the salary of the Chairman of Ways and Means should be materially advanced, and no one objected to it at that time. He thought it was hardly fair that the objection should be taken now in the case of men who had barely enough to eke out an existence. Would the Committee grudge a miserable advance to men to whom it would mean the difference between poverty and competence? He regretted that an hon. Gentleman who was essentially a Liberal—the hon. Gentleman the Member for Burnley (Mr. Rylands)—and who, were a Liberal

Administration to come into power, would probably expect to be a Member of it, should, though he always attempted to influence the Government, now declare that he had no wish to influence them in this matter. When the case of these unfortunate officers—many of them connected with that House—who were compelled to strain every point to discharge their duties well, was brought forward, the hon. Gentleman disclaimed all intention of influencing Her Majesty's Government. This was only a part, it was only a sample, of the cheese-paring policy which a Liberal Administration would establish; and he regretted to find that the Government seemed to think that Englishmen would begrudge to give these officials a fair wage for honest work. Let them look at the way the officials were paid at Versailles. They were paid far better in proportion than the officials of that House. He had made inquiries at Berlin, and although France and Germany might not claim to be as wealthy as England, still, having regard to the dignity of the several Assemblies, he thought the officials of the House of Commons, at all events, should be placed above a position of want—of straining for existence. Now, what were the facts? One fact was that many officials in that House were compelled to seek work during the Recess. He hardly thought that that was consistent with the dignity of the House of Commons — that its officers should be compelled to be the servant of others, of private individuals. He thought such matters ought to be taken into account; and he ventured to express an earnest hope that the Government would not allow another year to pass over without the increase being made. For his own part, he was satisfied the country would not object to the increase.

DR. CAMERON said, he should be sorry to see any spirit savouring of parsimony entering into their dealings with the officials of that House; but it struck him this was not the time to propose an increase of salary all round. His hon. Friend who had just spoken was very liberal in his proposals; but he did not say to whom he referred when he spoke of underpaid and starving officials. If, under this pretence of increasing the salaries of starving officials, there was to be an addition made to salaries above £1,000 a-year, he should protest at the present moment, when there was general distress in the country, against anything of the kind being done. It would be very unpopular and unwise a step on the part of the Government to make anything like a general increase in the salaries of the officials of the House.

MR. BARING said, he would like to supplement the remarks just made by the hon. Member for Glasgow by a few words of his own. He understood the cost of living had very much decreased, and, therefore, persons who had fixed salaries were proportionately far better off now than they were a few years ago, when there would have been a much better case in favour of raising salaries. Taking that into account, and the great prostration of trade, and the comparative poverty in the country, he thought great care should be taken before a general increase of salaries was made. He said this, though he had the greatest respect for those officials whose salaries it was proposed to increase.

SIR HENRY SELWIN-IBBETSON said, he thought he might safely leave the question of the salaries of the officials of the House of Commons where it was. As to the House of Lords, there was a Committee appointed annually to settle the salaries in that House; and with regard to the House of Commons, Mr. Speaker was Chairman of a Committee, of which the Chancellor of the Exchequer was a Member, which considered and settled the salaries; and the Treasury never interfered in the matter. The Treasury accepted the Report of the Committee, and the amount was placed in the Estimates. With regard to the House of Lords, which was the point to which the hon. Baronet who introduced this question directed attention last year as well as this year, he would remind him that the House of Lords never came before the Treasury at all. After the Report of the Committee came from the Committee of the Peers it went to the Auditor General for revision; it did not come under the notice of the Treasury at all; and that was in accordance with an arrangement come to as to the fees of the Upper House.

MR. DILLWYN could not quite agree with what had fallen from the hon. Baronet with regard to the Reports of the Committee being final. He could not admit that.

Sir HENRY SELWIN-IBBETSON said, he meant so far as the Treasury was concerned.

Mr. DILLWYN said, that House had a right to criticize the Reports. He maintained that; and he could not admit the dogma that the Reports were final—that the House of Commons must accept as final any Report brought before the House for consideration. He reserved and claimed the right to criticize freely every item.

Sir HENRY SELWIN-IBBETSON protested as strongly as he could against the assumption of the hon. Member that he (Sir Henry Selwin-Ibbetson) had said anything of the nature imputed to him by the hon. Member. He had said that the Treasury accepted as final the Votes of these Committees, and placed them in the Estimates; and he never insinuated that they were not subject to criticism by the House. All he had said was that the Treasury accepted the figures and presented them to the House.

Sir JULIAN GOLDSMID said, then the hon. Baronet admitted his argument—that they had a right to criticize the salaries of the officials of the House of Lords. He thought a great many of the officers of the House of Lords were overpaid, whereas some of the officers of the House of Commons were underpaid. The scale might be arranged fairly with regard to both Departments, and not involve any increase in expenses whatever; and, although the hon. Gentleman refused to control them, he (Sir Julian Goldsmid) said it was his business to control them as Secretary to the Treasury. He thought the Votes for the officers of the House of Lords being on the Paper, they had a right to suggest to the Government to control them as they controlled all other items.

Mr. E. JENKINS said, in the early part of the evening he referred to a Vote taken for the police for the Houses of Parliament. There was another Vote under this head of £438 for the attendance of police during the Session. He should like to ask the right hon. Gentleman if he would explain how many policemen were employed in the Houses of Parliament, and what this particular Vote for police in the House of Commons covered? He had reflected on the use of police in some of the Lobbies in the House of Commons, not that he reflected on the police themselves, but that it hardly seemed a proper thing that inside the House it should be deemed necessary to place those representatives of law and order. Outside, where they found Carlyle's maxim in the letter carried out—"anarchy *plus* the policeman"—policemen were in their proper place; but at Mr. Speaker's door and in the Lobby the police all scattered about—this did not seem right; and he thought it would be better if ordinary attendants were there, who might be employed in waiting upon Members and facilitating the transmission of messages from strangers who visited the House and Members who might be in various parts of the building. He had intended to ask a question of the right hon. Gentleman who had now left the front Bench with regard to the accommodation provided for strangers. He knew of no other House, with the pretensions of theirs, where strangers were kept standing in a draughty Lobby, on a stone floor, often for half-an-hour, while Members were being looked for. There could be no difficulty in laying a piece of carpet and placing some seats in the Lobby, so that persons who came to see Members might not be left to kick their heels about like a lot of footmen. As he pointed out, if they went to the Chamber of Deputies at Versailles, visitors were shown into a handsome apartment, they were accosted by a servitor, they were supplied with writing materials, and they found other conveniences provided. While there he had observed that it was of no consequence what the appearance of the visitors was, or the sex—they were all treated with the same politeness. If some similar arrangements were made here, they would conduce very much to the comfort of the people who came to the House, and who complained more than Members thought. The present state of affairs was not the fault of any official or officials. If there was not a sufficient number of attendants, it must be owing to some economy which was unintentionally exercised. The Sergeant-at-Arms and all under him kept affairs in perfect order, and there were no complaints. Everything was done for the comfort of Members. Where the inconvenience was felt was in using policemen as messengers, and the result was they had not a sufficiently active service for the convenience of Members.

Sir HENRY SELWIN-IBBETSON said, he would not dispute that it was not possible to make some arrangement for visitors more in accordance with comfort, perhaps, than those that existed. With regard to the question of police, he thought his hon. Friend had pointed out that that was a matter apart altogether from the Office which he filled, and rested really with Mr. Speaker and other officers of the House, who had complete control over the officers in attendance, and who had the custody of the House itself. The question was asked about the additional money for the police who attended during the Sitting of the House. There was a certain number of police whose services were not required during the whole year. There were some who had the custody of the building; but there were some who were employed, as the hon. Member had pointed out, in the Lobbies and other parts of the House during the time it was open for the Session, and the amount here put down was for those additional police required beyond the ordinary number for the custody of the House. His hon. Friend had stated that he would make a note of the fact, and bring the point under the notice of those officials who had control of it.

Vote *agreed to.*

(24.) £49,815, to complete the sum for the Treasury.

Mr. RYLANDS called the attention of the hon. Gentleman the Secretary to the Treasury to the amount put down for Parliamentary Counsel, fees, and salaries. Exactly the same amount was put down as appeared last year. They had the salaries of Parliamentary Counsel £5,666, then they had fees to Counsel to assist Parliamentary Counsel on Bills £1,000, and then there was the amount for draftsmen specially employed in drafting Bills £700. Now, he would remind the Secretary to the Treasury that last year the Government came down on two occasions for further sums to supplement that Vote for Parliamentary Counsel, and he thought he was correct in saying that altogether the amount paid for Counsel's assistance was almost as large as the sum paid to the Counsel on the establishment. He wished to ask the Secretary to the Treasury whether there was any reasonable expectation that the Estimate they had now before them would not be exceeded? It was most inconvenient to have the Estimates brought forward year after year, and yet afterwards Supplementary Votes were asked for. Naturally that must excite remark on the inconvenience it caused in dealing with the Expenditure of the country. Last year was by no means the first occasion on which these Supplementary Votes for assistance to Parliamentary Counsel were asked for. It had grown to be a practice to employ assistance. He should be glad to know if the hon. Gentleman thought the Estimates could really be relied on. The Committee had a right to expect that there would be placed on the Paper the full amount the Government reasonably expected to require, and if they thought this sum would not be sufficient, then they ought to put down a higher Estimate. He pressed this on the attention of the Government to induce them to take steps to prevent the necessity of a Supplementary Estimate by asking for a larger sum at the outset. He hoped to have a clear and precise answer to the question.

Sir HENRY SELWIN-IBBETSON said, he quite agreed with the hon. Member that it was far more preferable in the interests of the Public Service, and the Treasury also, that a proper Estimate should be submitted, and that there should not be Supplementary Estimates introduced as the Government had to do on one or two occasions before. But he might point out how excessively difficult it was to forecast the exact amount that would be required. The hon. Member was aware that now and then legislation was placed before that House which was of a character that required the greatest care in its preparation. He would instance the case which led to the Supplementary Estimate of last year—the Criminal Code Bill. The preparation of that Bill had swallowed up a large proportion of the amount of the Supplementary Estimate which he had to ask the House for last year. There was another Bill last year which also led to extra expenditure. He referred to the Contagious Diseases (Animals) Bill—a measure with which he had so much to do in that House. These matters required a great deal of special knowledge, and Counsel had to be selected for that purpose. He could not himself see, in the preparation of the Bills this Session, any reason to justify him in thinking that the present Estimate would be exceeded. He went very carefully into this matter with the view of avoiding any difficulty in the future; but he could not pledge himself that the Estimate would not be exceeded. There might be additional pressure from Bills, but this was a matter which he could not forecast.

Mr. WHITWELL called attention to the item for the salary of the Auditor of the Civil List, and asked for an explanation. The official in question appeared to have two salaries. But after this, this gentleman had a separate annuity as messenger to the Order of the Bath. He was given a very important appointment in the Treasury, worth £1,500 a-year. Pensions were usually given to compensate gentlemen who were no longer able to perform their duties, yet, notwithstanding the fact that this gentleman had a pension, they found him employed again, and receiving a salary. There were a number of cases of that kind in the Book.

Sir HENRY SELWIN-IBBETSON explained that the Treasury was empowered by the 56 *Geo.* III. to appoint an Auditor of the Civil List Account, and his salary was originally paid out of the Civil List. In 1831, however, that official's salary was put on the Treasury establishment, and paid from the Vote, the salary being £1,300, which was afterwards reduced to £1,200. That arrangement was carried out by a Minute of 1834, which prescribed that whoever was appointed should perform the duties of Assistant Secretary to the Treasury, which was now given to a clerk of the Treasury, and had £300 added to his salary as clerk. The present Auditor was Mr. Law, one of the senior clerks in the Treasury; and the office, he might say, had existed since 1815.

Mr. RYLANDS said, he should like to hear something further as to this office. As he understood, the Auditor was appointed under the Act of Parliament by which the provisions of the Civil List were settled, and it was his duty to see that the expenditure was correct and accurate—that the sums alleged to have been expended had been expended. It was a very proper duty to perform; but then the House knew nothing of the expenditure of the Civil List, and he presumed they were neither called upon nor entitled to inquire into what became of the money they voted. It appeared to him that this gentleman was not an officer of the House of Commons at all, and it was a most extraordinary thing that they should pay him £1,200 a-year in addition to his ordinary salary as clerk, and in addition to his pension of £86 5*s.* 10*d.* as messenger to the Order of the Bath. He presumed that he did no duty as a clerk at all, and that his whole time was taken up in fulfilling his duties as Auditor. Surely whoever required that duty performed should find the salary.

Sir HENRY SELWIN-IBBETSON begged to remind the Committee that although one of the duties of this gentleman was to audit the Civil List, he also did a very considerable amount of Treasury work, being one of the principal officials of the Department. He received £1,200 as Auditor, and £300 as clerk, which brought his salary up to what he received for the particular class to which he belonged. He had, it must be remembered, one of the largests parts of the business of the Treasury to manage in his Department.

Mr. RYLANDS said, that in this case there were two other clerks, one of whom received £500 a-year, and the other £350 a-year. The Secretary to the Treasury had told them that the duty of this official was to audit certain classes of the Civil List—that was to say, he supposed the Treasury had laid before them the expenditure of different classes of the Civil List, and they were aware whether the expenditure in one class was below the amount that was set apart in the Act of Parliament, or whether it was above the amount so set apart, and he was aware there was power to transfer from one Account to another in the event of there being a saving in one and a deficiency elsewhere. It might be all very well to have this audit, but it never came under the notice of the House of Commons, and so far as money was concerned they knew nothing of the result, and their opinion was never challenged upon it.

It did seem to him, therefore, that this was a question of the policy of paying for work in which they were not immediately interested.

Vote *agreed to.*

(25.) £74,302, to complete the sum for the Home Office, *agreed to.*

(26.) £59,890, to complete the sum for the Foreign Office, *agreed to.*

(27.) £32,617, to complete the sum for the Colonial Office, *agreed to.*

(28.) £25,304, to complete the sum for the Privy Council Office, *agreed to.*

(29.) Motion made, and Question proposed,

"That a sum, not exceeding £2,270, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of the Lord Privy Seal."

LORD EDMOND FITZMAURICE said, he wished to make a few observations on this Vote, because there was a general impression abroad in many quarters that this Office was one which, whether considered as a whole or in detail, was not strictly necessary, and therefore required explanation. The ordinary ground upon which this Office was defended was, although no official work was attached to the Office of Lord Privy Seal, that, nevertheless, it was a very useful thing to have in any Cabinet some gentleman holding Cabinet rank, to whose position no particular departmental work was attached. He did not for one single moment dispute the force and accuracy of that argument; but he would, at the same time, point out to the Committee that the object in view could be equally attained, and had frequently been attained, by having in the Cabinet some Minister who did not hold any particular Office. Once quite recently, and if they went further back, quite frequently, Ministers were found in the Cabinet who held no particular Office. In Lord Aberdeen's Ministry, Lord John Russell for a short time led the House of Commons without holding any of the Offices which he had previously held. He had before that time held the highest Office in the country, that of Prime Minister, and yet he did not consider it out of keeping with his position for him to lead the House without having any particular Office in the Cabinet. If they went further back, they would find that this same thing occurred in numerous cases. He believed he was accurate in saying that during the exceedingly long Administrations of Mr. Pelham and the Duke of Newcastle, the most efficient Minister was an ex-Chancellor, Lord Hardwicke; yet he held no particular Office. The same was the case with his son, the second Lord Hardwicke. Therefore, the main argument adduced for keeping up the Office was not one which could be put forward with unanswerable force. He might further point out that this argument failed, because, to be worth anything, it must be shown that every one of the Ministers who had held the Office of Lord Privy Seal were men whose services were of very great importance to the country, and could not very well be dispensed with by the Cabinet. He was perfectly aware that a short time ago a most eminent statesman did hold the Office of Lord Privy Seal, but then he held it in conjunction with the Office of First Lord of the Treasury; and, therefore, that argument could not be used. He did not wish for a moment to introduce the name of the present holder, or recent holders, of the Office, because that would be a disagreeable thing, savouring of personality; but still he would say, without fear of contradiction, that if they went over the names of the Ministers who had held this Office recently they would find that, although, no doubt, they had been men of dignity and much respected, yet as a rule they had not been men of such ability as to constitute them Ministers of the first rank. If it had been the intention of the Government to attach duties to this Office, it would not in the least signify whether the old name of the Office were kept up or not; but there never had been the very smallest tendency shown to attach any sort of work to the Office. Originally, no doubt, the Lord Privy Seal and the Lord President of the Council were two of the most important dignitaries of the State; and he remembered how Lord Macaulay, speaking of the reign of William III., pointed out as a most remarkable change in official hierarchy since that time, that then the important Officers of State were the Lord President and the Lord Privy Seal, while the First Lord of the Treasury was absolutely nobody, and the Secretaries of State were persons, comparatively speaking, of no importance whatever, whereas all that had now been changed, so that the First Lord of the Treasury was the really important man, and the Secretaries of State ranked next to him. Since the time when Lord Chatham held the Office of Lord Privy Seal, and with it the rank, so far as it could be said officially to exist, of Prime Minister, there never had been any Minister of the very first rank put into the Office in order to bring him into the Cabinet. They had either been made Lord President of the Council, an Office to which duties were attached, or they had been brought into the Cabinet, as he had before explained, without office. Another reason against the retention of this Office was that it was an obstruction to Business. He would venture to ask the Secretary of State for the Home Office whether there were not certain documents of importance which originated in the Home Office, and from there had to go to the Office of the Lord Chancellor to receive the Great Seal; and whether it was not necessary for those documents to receive the Privy Seal before they could receive the Great Seal? According to a Committee of the House which had inquired into this matter, the Great Seal could not be set in motion without first setting in motion the Privy Seal. It was a sort of wheel within a wheel. It thus often happened, as he believed, that some document of considerable importance to the persons whom it affected could not receive full legal establishment and validity until it had received the Privy Seal; while the Lord Privy Seal, not having any regular departmental work, was often not in town, and persons were thus kept waiting. As the whole of the work of the Office had departed, and had not returned, as whatever use there was in the Office could be equally well obtained by bringing into the Cabinet a Minister without Office, and as the Office, with its head, and its chief clerk, and its assistant clerk, who helped the chief clerk—to do nothing, and its private secretary, and its messenger, put the State to very considerable expense, and caused delay in the transaction of Business, he moved the rejection of the Vote.

The CHANCELLOR of the EXCHEQUER said, the arguments advanced to them by the noble Lord were practically the same as those many of them had listened to on previous occasions, though they had been put just previously in the able manner in which the noble Lord was wont to advance in argument, and had been illustrated by that historical knowledge which they were all aware he possessed. The case really amounted to this. The Office was one of great antiquity; it had been handed down to them from many Cabinets in succession, and it had uniformly been found by the Members of every Government that it was very convenient that such an Office should exist, to which it should be possible to appoint some Nobleman, who should take part in the general Administration of the country, without having his time occupied by any particular departmental duties. When the noble Lord said that the difficulty might be got over by appointing Ministers to the Cabinet without Office, of course, that was correct to a certain extent; but, for his part, he did not think their experience in former times of that sort of arrangement was of a character which would lead them to think it was a generally convenient course to adopt. He did not say there were not cases in which this method had not been used of obtaining the services of Noblemen and Ministers of considerable importance. In the case of Lord John Russell, he certainly did sit on the Government Bench and lead the House for a short time without holding Office; but that was an exceptional arrangement which did not last long, and even at that time there was a Lord Privy Seal in the Cabinet. He did not think any sufficient reason had been given for altering the arrangement which now existed. The salary attached to the Office was not a very large one, and was not at all out of proportion to the duties which fell on the holder of the Office in his capacity of Member of the Cabinet. With regard to the observation about the block of Business occasioned by this at the Home Office, he was not aware that there was any such difficulty; and, in fact, he did not think there was any change in the position of this question since it was last discussed.

Sir JULIAN GOLDSMID said, when they remembered that the noble Lord who had moved the rejection of the Vote was the grandson of that Marquess of Lansdowne who had held a foremost position in the Councils of England, and yet who for years was in the Cabinet without Office, they must consider his recommendation of some value. The present Government, above all others, had marked their opinion of the value of this Office of Lord Privy Seal by holding the appointment in suspense for a considerable time, on the ground that there was no noble Lord who thought it worth his while to take it. It was, therefore, attached for some time to the Office of the First Lord of the Treasury, which showed conclusively the value of the post to the Public Service. Most of the holders of it of late years, indeed, had been the Greenwich pensioners of past Ministries, noble Lords who were past work, but to whom it was desired to pay some compliment without much detriment to the Public Service. Parliament of late years, however, had set its face against sinecures, and, above all, it was bad that these sinecures in high places should be maintained. It was for that reason that many of them had objected to the maintenance of this Office; and he did not think the fact that they had had these arguments before was any reason why they should not urge them again, especially when they knew that the Prime Minister was of their opinion, and had been simply overruled by other Members of the Cabinet. He thought hon. Members who objected to this Vote ought to maintain their position, until they, in their turn, had persuaded the rest of the Ministers to follow the example of the Prime Minister. For his part, he did think it would be much better that they should abolish this Office of Lord Privy Seal, with its chief clerk, and its assistant clerk, and its private secretary, and its messenger. If it was found necessary to have the advice of some eminent statesman, any Government could follow the advice of the noble Lord, and imitate the example of the Marquess of Lansdowne.

Mr. DILLWYN said, that the right hon. Baronet opposite, in referring to the position of Lord John Russell, said that it was objectionable. But that was no objection to it; and, for his own part, he was not aware that any inconvenience ever arose from it. Even if it was exceptional it was not therefore objectionable; and it was far better, at any rate, than keeping up these sinecures. They all knew perfectly well what the Office meant, and what it was for. The Chancellor of the Exchequer, in telling them that this discussion had often been raised before, overlooked one fact—that the noble Lord who moved the reduction of the Vote not only declared that the Office was useless, but distinctly showed that it was obstructive. For his part, however, he did not think any new arguments were wanted to induce them to abolish this obsolete and useless Office.

Sir HENRY SELWIN-IBBETSON said, that the duties of this Office were, he believed, considerably diminished in 1851, and the appointment had, in a great measure, been simplified by the Acts of the 14 & 15 *Vict.*, which abolished the office of clerks of the Privy Seal, and transferred the duties to the Home Office. The delays, therefore, that arose from the necessity of the prior sealing were done away with.

Sir CHARLES W. DILKE said, he thought the hon. Baronet had, by the statement which he had just made, strengthened the case against the Office; for it had been admitted by those who had held the Office before the year 1851 that the duties were very light. If, therefore, they had been much reduced since that date, they must at the present time be small indeed. An hon. Member once asked a former occupant of the Office what his duties really were. He replied that—

> "He could not say, but that twice a-year he had to stand at one end of a room while a gentleman at the other end of it made a horrid mess with a lot of sealing wax."

It would be best to admit that the Office was a sinecure, and that it ought to be abolished. The Chancellor of the Exchequer had said that those arguments had often been raised before. That was quite true; but on former occasions those arguments had been met by a stronger pretence of a case from the other side of the House than that put forward on the present occasion. There had been no defence at all that evening. He had heard the Office defended on former occasions by arguments which, if valid, should have weight. Hon. Members were then told that the holder of the Office of Privy Seal was useful to the Government, because he would take up Business that no other Member of the Government had time to deal with. But it was now notorious that this official was of no use to the present Government in that way. He (Sir Charles W. Dilke) would like to know the frank and private opinion which the Government had of his services. The question of the retention of this Office could not be discussed without calling the attention of the House to the fact that the present occupant of the Office had made no speech whatever on public affairs, and had taken no part in the proceedings of the House of Lords, except upon one occasion when his private interests were concerned. He would, therefore, support the Motion of his noble Friend.

Mr. WHITWELL was sure that the Chancellor of the Exchequer would remember that many hon. Members on the Opposition side of the House had voted, on former occasions, against this Office, by whomsoever it might have been held, and by whatsoever Government it might have been defended. The importance of the Office might be judged of from a small but amusing fact—namely, that the private secretary and assistant clerk were one and the same person, and that person was a second class superannuate from the Office of Works. There could be no more convincing proof of the nullity of the Office. A strong argument had been used against the Office that evening. He (Mr. Whitwell) could quite understand the objection of the Ministry to make any sudden change at the present time, when so many people throughout the country were badly off, and were acknowledged to be without work. Under such circumstances, and when the House had refused to take into consideration the services of its own *employés*, it would be utterly inconsistent to vote the money asked for. He hoped the Office would be abolished.

Question put.

The Committee *divided:*—Ayes 57; Noes 25: Majority 32.—(Div. List, No. 68.)

(30.) Motion made, and Question proposed,

"That a sum, not exceeding £138,776, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of the Committee of Privy Council for Trade and Subordinate Departments."

Mr. D. JENKINS asked the Secretary to the Board of Trade if he could give any information respecting the illegal detention of a vessel some time ago, and the trial which took place in the City of London, at which £1,600 damages were awarded for the detention? With regard to the Surveyors, he wished to point out that, in his opinion, naval officers were not the men best qualified to act in that capacity. He had nothing to say against naval officers; but they had not that practical experience of repairs which shipwrights possessed. He pointed to that circumstance in the hope that hereafter there would not be so large a number of naval officers placed in the position of Surveyors.

Mr. J. G. TALBOT said, he feared he was not fully informed upon the action referred to by the hon. Member for Penryn (Mr. D. Jenkins); but if he would give Notice of a Question upon the subject it should be answered. With regard to the Surveyors, those naval officers upon the staff would, according to the practice of the Department, be retained; but the vacancies which occurred would be filled up from the Merchant Service.

Mr. RYLANDS said, that he had been exceedingly anxious that an opportunity should be afforded that evening for the consideration of the case to which allusion had been made by his hon. Friend (Mr. D. Jenkins). It would not be of the slightest use for the hon. Member to put a Question in the House. The case referred to had caused a very great amount of public interest, as well as alarm, among shipowners. And the House was now asked to pay the salaries of the officers who had been held by a Court of Law in damages to a very considerable amount. They might be told that there was going to be a new trial; but the case was one upon which the fullest information ought to be given. He could quite understand that the damages might be reduced, but nothing could alter the affair as far as the Board of Trade was concerned. If he (Mr. Rylands) understood the evidence aright, the officer of the Board of Trade acknowledged that he had detained the ship at the time when he knew that steps were being taken by the owner to put the ship in proper repair. He (Mr. Rylands) would have been glad if this Vote could have been postponed, because he thought it would be a matter of public interest and importance if the point could be discussed in relation to the case as illustrated by the proceedings before a Court of Law. He had not expected the Vote to come on that evening, or he would have been prepared with all the facts in connection with the action. He feared that his information respecting the case was insufficient; but he felt sure that it contained enough to justify the Committee in hesitating to pass the Vote without further information.

The ATTORNEY GENERAL (Sir John Holker) said, he knew something about the case referred to by the hon. Member for Penryn (Mr. D. Jenkins). An action had been brought at the last sittings at Guildhall by a shipowner, against the Secretary to the Board of Trade, and against several Surveyors to the Board of Trade, and other officials, for the wrongful detention of a ship. During the case several points arose, some of which were points of law, and others points in connection with fact; and it was alleged by the plaintiff that the ship was improperly detained altogether, because the detention was not authorized by the Board of Trade, although the ship was detained by the Secretary to the Board. That raised a very important point of law, which would, undoubtedly, come before the Courts for consideration. The point of fact raised in the case was this. It was alleged that although the vessel might have been properly detained originally, yet, in making the survey, those who were intrusted with the survey—namely, some of the defendants—were guilty of excess, and the excess alleged was simply this. It was said that one of the Surveyors had ordered the owner of the vessel to take out what were called beam-fittings, in order that he might more fully examine the hull of the ship, and ascertain whether or not she was seaworthy. Now, in vessels of ordinary construction, the beam-fittings were pieces of timber inserted between the beams, and which could be taken out without any trouble or difficulty; indeed, they were left loose for the very purpose of being taken out, in order that the internal timbers might be examined. The Surveyor who gave this order was not aware at the time of giving it that this ship was constructed in a different manner from other vessels; and it turned out, unfortunately, that she was differently constructed, and that these timbers were fitted and permanently fixed in the vessel. They were bolted to the timbers, and could not be removed without doing a considerable amount of damage to the vessel. Unfortunately, no communication was made to the Surveyor who gave the order, which was carried out without his attention having been called to it, and, no doubt, considerable damage was done and delay caused. The jury came to the conclusion that this was an excess of duty, and awarded considerable damages. On the other hand, the view of those who conducted the case for the Board of Trade was that the verdict of the jury was unsatisfactory, and an application for a new trial had been made, which now stood for the consideration of the Court on a future day. For that reason, no rule *nisi* had been yet obtained; but the application for the new trial would be made at the proper time, and those concerned for the Board of Trade fully expected that the new trial would be granted. At all events, the points of law would all be decided in a Superior Court.

Mr. E. JENKINS remarked, that the Solicitor to the Board of Trade received a salary of £1,500 a-year, and begged to ask whether he was allowed to practise in private? He also desired to have some explanation of the sum of £15,000 for legal expenses; and would like the hon. Gentleman the Secretary to the Board of Trade to be good enough to indicate what were the duties of this officer, and what was the nature of the legal charges which amounted to so large a sum of money.

Mr. J. G. TALBOT said, the Solicitor took no private practice. His duties were to conduct all inquiries, and anyone who read the newspapers would see that he had a great deal to do. The expenditure of £15,000 was incurred under the Merchant Shipping Act.

Major NOLAN wished to inquire whether the Secretary to the Board of Trade could state that the new system with regard to the load-line of vessels was working satisfactorily? And, further, whether it was the practice of many owners to make the line too high; and, if so, what were the means adopted by the Board of Trade for the purpose of checking that practice. Were the names of such owners published, or any means used to bring public attention to bear upon persons who placed the load-line too high up? He had been informed of one case in which the load-line was placed on the bulwarks, and he had heard of an owner who actually marked it on the funnel.

Mr. J. G. TALBOT promised to make inquiries upon the subject, as at present he was unable to answer the question fully. It was impossible for anyone new to the office to be armed at every point. He believed, however, that the rule as to the load-line was working well; at any rate, he had heard no complaints to the contrary.

Mr. WHITWELL said, that no doubt it was impossible to be armed at every point; but the hon. Member had come forward in support of the Votes, and the Committee looked to him for explanations. In reply to the question asked, it had been admitted that the Surveyor had made some mistake, and that he called upon some of the workmen to remove portions of the timbers which ought not to have been removed. He wished to ask the Secretary for the Board of Trade, seeing that he could congratulate him upon a diminution of the expenditure upon the Surveyors this year of over £3,000, whether there was a probability of the expenditure being still further reduced when the Act had got into better working order? There was, he hoped, a reasonable prospect that a great many of the officials appointed to bring the Act into working order might shortly be diminished in number, now that the Act had got into better working order.

Mr. J. G. TALBOT said, that the question of the further reduction of the staff was being very carefully considered, and he had reason to hope that further reductions would take place. He was authorized in saying that, because he was informed that the reduction in these Estimates would have been considerably greater in the present year but for the annual increment in salaries which was always going on.

The ATTORNEY GENERAL (Sir John Holker) wished to make his explanation somewhat clearer, and to inform the Committee that it was quite true that the Surveyor to the Board of Trade ordered a board to be removed in excess of his duty. He ought not to have given that order; but his hon. Friend was in error in supposing that the workmen employed under the Board of Trade or that the Board of Trade by its own officers removed those beam-fittings. The order was given by the Surveyor that the work should be done by the master, or by the workmen employed by him. There would have been no difficulty, if the master or his workmen had come to the Board of Trade and explained that the ship was constructed differently from the usual manner, and that there would be more difficulty in removing these things than there would be in ordinary cases. Had that been done, the order which had been given under an erroneous impression would at once have been rescinded.

Mr. DILLWYN believed that there was likely to be a considerable discussion upon this Vote. It was now past half-past 12, and he, therefore, begged to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dillwyn.*)

Sir HENRY SELWIN-IBBETSON hoped that the Committee would not yet report Progress. That Vote had been under consideration for some time, and the points under discussion had been completely elucidated. He thought that the Committee would feel that the explanations that had been asked had been very thoroughly and very satisfactorily given. [*Laughter.*] That statement seemed to amuse hon. Gentlemen on the other side of the House; but he would repeat that the explanations had thoroughly met the questions put. Under these circumstances, he did hope that the House would continue the Estimates in a business-like way, and would not break off until they had discussed that Vote.

Mr. RYLANDS did not think there was the slightest desire upon the part of any hon. Gentleman present to raise any unnecessary discussion on that Vote. He wished to point out to the Secretary to the Treasury, when he complained that they took up so much time over that Vote, that it was for £166,776, including several very important and entirely different departments of Expenditure, and upon some of these departments there had been very little said. He did not think that there had been any question raised with regard to agricultural statistics, in which some hon. Members took great interest. He was not aware that the question of the Surveyors to the Board of Trade would have come on that night; he was, therefore, unprepared with information. But if he was not much misinformed, the conduct of the officers of the Board of Trade went far beyond the statement of the hon. and learned Gentleman. He was not raising any point of law, for the Board of Trade might be perfectly right upon the legal points; but if he was informed accurately, the conduct of this Surveyor was such as to destroy public confidence altogether in the Board of Trade with regard to the surveying of ships. He did not wish to be drawn into a statement which might be inaccurate in the slightest degree, as being made only from recollection; and he also did not wish to fail in expressing himself with perfect clearness. Although not asking for any delay, he did hope that before this Vote was passed more time would be given to the Committee to consider the action of the Board of Trade with regard to this ship, or rather the action of the Board of Trade through its officers. The subject was of importance, because the legislation of that House had been directed recently to this subject of ship-surveying, and the action of the officers of the Board of Trade was an important element to be considered in regard to the matter. He begged to propose to the right hon. Gentleman that, after having passed through a great number of Votes that evening, it would not be unreasonable for them to report Progress.

MR. J. G. TALBOT observed, that the hon. Gentleman rested his desire for the adjournment upon the case of this ship, with regard to which his hon. and learned Friend the Attorney General had given full and satisfactory information. His hon. and learned Friend had explained that the matter was now under appeal in the Superior Courts. The hon. Gentleman must admit that they ought not to pronounce any opinion upon the conduct of this Surveyor until the matter had been adjudicated upon by the Courts of Law. When the Courts of Law had decided upon the question, it would be entirely within the province of the hon. Gentleman, or of any other Member of the House, to raise the question, aye or no, Was the conduct of the Surveyor of the Board of Trade justifiable under the circumstances? The course he now suggested would not meet the object the hon. Member had at heart.

SIR JULIAN GOLDSMID said, that the arguments which had been offered by the Government for continuing the discussion of the Estimates for an indefinite time were such as hon. Members could not accept. At that period of the Session there could be no reason for prolonging the Sittings of that House beyond a reasonable time. It had always been considered usual, and the right hon. Gentleman the Chancellor of the Exchequer had conceded, that a reasonable time for the House to sit was up to half-past 12. There could, therefore, be no reason for proceeding further with the Estimates that night.

SIR HENRY SELWIN-IBBETSON disclaimed any intention to force the House to consider the Estimates further that night. All that he asked the Committee to do was to allow them to come to some conclusion upon the Vote under discussion, and then to report Progress.

MR. DILLWYN remarked, that the House was formerly not in the habit of proceeding with Supply after 12. He believed that there were other hon. Gentlemen who wished to take part in the discussion upon this Vote, but who were not then present. They had been going on for a very long time, and he thought that they had gone on quite long enough, and that if this Vote proceeded it would take a longer time than hon. Gentlemen on the other side of the House imagined. He had no desire to stop the Business of the House; but he did think that it was a reasonable proposition to report Progress at the stage at which they had now arrived.

MR. RAMSAY also thought it desirable that the Committee should then report Progress. With regard to the explanation given as to the action of the Board of Trade, the discussion of the matter by the House before the Courts had decided upon the case would only prejudice the question. The suggestion had been made that the question should be discussed on Report and not in Committee. He thought, however, that it would be much more satisfactory to adjourn the consideration of the Vote, and discuss the question in Committee rather than upon Report. Therefore he hoped that the right hon. Gentleman would consent to report Progress.

Major NOLAN agreed that the proper course would be to report Progress. Although hon. Gentlemen opposite might be anxious to continue the discussion then, it should be remembered that many of them had only recently come into the House; whereas there were half-a-dozen or more hon. Members on that side of the House who took considerable trouble in the discussion of the Estimates, and their convenience should be in some way regarded.

The CHANCELLOR of the EXCHEQUER said, that it was not at all desirable, or reasonable, to ask the Committee to continue its work at a late hour. But with regard to this particular Vote, no exception was taken to its being finished at the time it was commenced, and two or three questions had been raised upon it, one very important one, upon which explanations had been given by the Attorney General, which he thought carried that part of the question as far the Committee could possibly wish it to be carried until the decision of the Judges had been arrived at. With respect to the question which the hon. and gallant Member for Galway (Major Nolan) wished to raise, that was a matter of great extent upon which information could be furnished. It was hardly desirable to postpone this question until that information had been obtained. His hon. and gallant Friend could obtain that information and bring the matter on upon another occasion. He did not think that there were any questions now raised upon the Vote which seemed to require its being adjourned. Therefore he thought that they should agree with the suggestion of the hon. Baronet and take the Vote now being discussed and then report Progress. That seemed to him not to be an unreasonable course.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 21*st April*, 1879.

MINUTES.]—Public Bills—*First Reading*—Assessed Rates Act Amendment* (55); General Police and Improvement (Scotland) Provisional Order (Inverness)* (56); General Police and Improvement (Scotland) Provisional Order (Paisley)* (57).

Committee — Report — Local Government (Ireland) Provisional Order Confirmation (Downpatrick)* (21); Local Government (Ireland) Provisional Orders Confirmation (Cashel, &c.)* (22).

Third Reading—Bankers' Books (Evidence)* (24), and *passed.*

AFGHANISTAN (MILITARY OPERATIONS)—ADVANCE ON CABUL.

QUESTION. OBSERVATIONS.

Earl GRANVILLE: My Lords, as great anxiety prevails in the public mind, owing to the reports which are almost daily made of the advance of our troops towards Cabul, I wish to put a Question to the noble Viscount the Secretary of State for India on the subject. I understand that the Chancellor of the Exchequer last week, in "another place," gave a re-assuring explanation on the subject; but I think it will be convenient if the noble Viscount will favour your Lordships with the latest information which the Government have with reference to the reported advance?

Viscount CRANBROOK: My Lords, no advance on Cabul, as my right hon. Friend the Chancellor of the Exchequer said in the other House on the occasion referred to, can take place without previous application to Her Majesty's Government, and no such application has been made.

BURIALS—OVERCROWDING IN CHURCHYARDS.—OBSERVATIONS.

Lord DENMAN called the attention of their Lordships to a Correspondence with the Home Office, beginning in 1867, relative to the overcrowding of a churchyard in Derbyshire. The noble Lord, having described the insanitary condition of the burial ground of this parish, said, he believed that the state of things disclosed in that Correspondence would have become impossible if the Burial Bill introduced by Her Majesty's Government in 1877 had passed through Parliament; and he could not but think that the two Houses might easily come to an arrangement which would lead to the passing of a good Burial Bill and to a discontinuance of such scandals as now existed in connection with some of our churchyards.

EARL BEAUCHAMP said, he quite concurred with the noble Lord in the regret he had expressed as to the measure of 1877 not having become law. With regard to the Correspondence, the earlier portion of it was not forthcoming; but he was able to assure the noble Lord that steps had been taken to mitigate the evil in respect of the Derbyshire churchyard to which he had called attention.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 21st April, 1879.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class II., Votes 10 to 20—R.P.

Resolutions [April 18] *reported.*

PUBLIC BILLS—*Resolution in Committee—Ordered—First Reading*—Banking and Joint Stock Companies [126].

Ordered — First Reading — Local Government Provisional Orders (Ashton under Lyne, &c.) * [127]; Public Health (Ireland) Act (1878) Amendment* [128]; Dogs Regulation (Ireland) Act (1865) Amendment [129].

Second Reading—Public Health (Scotland) Provisional Order (Castle Douglas) * [120]; Convention (Ireland) Act Repeal (No. 2) [116]

Committee — Valuation of Lands (Scotland) Amendment* [16]—R.P.

PETITION.

HYPOTHEC ABOLITION (SCOTLAND) BILL—PETITION OF CHAMBER OF AGRICULTURE, EDINBURGH.

PETITION PRESENTED.

GENERAL SIR GEORGE BALFOUR said, he had a very important Petition to present from a very important body in Scotland—namely, the Scottish Chamber of Agriculture at Edinburgh. It was signed by the President, Mr. Nicoll, on behalf of himself and the other Directors. He should very much like to have the Petition read at the Table; but he was anxious to save the time of the House, and therefore he would only ask that it might be printed as soon as possible, and put in the hands of Members before the Hypothec Abolition Bill was considered as amended. The Petition set forth that the Bill contained a clause which, for the first time, recognized unconstitutional acts that were done by the Court of Session in the last century, in passing an Act of Sederunt in 1756 which contained enactments solely within the power of the Legislature to enforce, and prayed the House to prevent that recognition from passing into law. It also pointed to the inconvenience to Scotland from not allowing the Bill to pass into law at an earlier date than the end of 1880, showing that under the provisions of the Bill they might have agreements framed before the end of the year 1880 which would allow the Hypothec Act to remain out of operation for 19 years. It remarked that the course of policy hitherto followed by Parliament had been to bring all Acts which were passed into operation within a very short period; and that, although tenants were seriously injured by the Road Act, the School Act, and various other Acts, especially by the Act of 1853, the law in those cases was brought into operation in a few days. It also prayed that equality of rights should be granted to tenants; and that in any measure protecting the interests of landlords, the like consideration should be given to the interests of tenants, in respect to their outlay for manures and other unexhausted improvements. Other important matters were set forth in the Petition well worthy of attention. He would now present the Petition, in the hope that the Committee on Petitions would allow it to be printed and promptly circulated amongst hon. Members.

QUESTIONS.

WAYS AND MEANS—DOG LICENCES.

QUESTION.

MR. DODSON asked Mr. Chancellor of the Exchequer, Whether he can now state to the House the amount of Revenue derived from the Dog Licences as altered in the financial year 1878-9, and the amount derived from those Licences in the year 1877-8?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir. The amount received in the year 1877-8 was £372,700, and in the year 1878-9, £422,000. That is just £50,000 in advance of the year before. It is, however, £36,000 less than the estimate that was made for 1878-9, the exemption of shepherds' dogs having greatly exceeded our expectations. There appears also to have been a diminution in the number of dogs kept.

CITY OF GLASGOW BANK SHAREHOLDERS—LOAN OF TWO MILLIONS.

QUESTION.

MR. ANDERSON asked Mr. Chancellor of the Exchequer, If, seeing he has agreed to lend India £2,000,000 without interest or term of payment, he will advance a similar sum on behalf of the City of Glasgow Bank Shareholders at a low rate of interest, conditional on his being satisfied that he will be paid both interest and principal in a reasonable time; conditional also on his being satisfied it could be administered in such a way as to be a substantial benefit to the ruined shareholders, without risk to the Exchequer?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I must own that I do not see the precise connection between the Indian Loan, which is a Governmental arrangement, and the advance suggested by the hon. Member for Glasgow; but I can quite understand the motive which has prompted the hon. Gentleman to ask the Question. I can assure him that there is a great feeling of sympathy on the part of Her Majesty's Government with those unfortunate persons who have suffered by the failure of the City of Glasgow Bank; but, at the same time, it would be quite impossible for the Government to enter into any arrangement of the kind referred to.

EGYPT—FINANCIAL CHANGES—DISMISSAL OF MR. RIVERS WILSON.

QUESTIONS.

SIR JULIAN GOLDSMID asked Mr. Chancellor of the Exchequer, If he has received the expected information from Egypt, and is therefore in a position to inform the House whether the statement is correct that Mr. Rivers Wilson declined to be dismissed by the Khedive until he had communicated with the British Government; and, if it is correct, what communication the Government had made or proposed to make in reply, and what authority Mr. Rivers Wilson had for this action on his part?

THE CHANCELLOR OF THE EXCHEQUER: Sir, what I stated the other night was that, not having received letters, I could only say that we had received no telegraphic communication on the subject. We have since, of course, received letters by the mail. It is not correct to say that Mr. Rivers Wilson declined to be dismissed by the Khedive until he had communicated with the British Government, and therefore we have had no occasion to make any reply to such communication.

SIR JULIAN GOLDSMID: Has Mr. Rivers Wilson resigned?

THE CHANCELLOR OF THE EXCHEQUER: No, Sir; he was dismissed.

TREATY OF BERLIN—THE GREEK FRONTIER.—QUESTION.

SIR JOHN KENNAWAY asked Mr. Chancellor of the Exchequer, If the Government has received information to the effect that at a recent Cabinet Council of Turkish Ministers, presided over by the Sultan, it was decided to refer the question of the Greek Frontier to the decision of Europe?

THE CHANCELLOR OF THE EXCHEQUER: No, Sir; the Government have not received any information to that effect.

ARMY CLOTHING DEPARTMENT.

QUESTION.

MR. MUNDELLA asked the Secretary of State for War, Under what circumstances and with what object the factory workers employed by the Army Clothing Department have been discharged; whether it is true that an attempt is being made to reduce the wages of many hundreds of women, said to be in numbers of instances the widows and orphans of soldiers, to "slop-shop" prices; and, whether he will lay upon the Table of the House a scale of the prices hitherto paid in the Clothing Department and the reduced list which it is proposed to pay?

LORD EUSTACE CECIL: Sir, before I reply to the hon. Member for Sheffield, it is but fair to my hon. and gallant Friend the Member for Westminster (Sir Charles Russell), to say that he had given Notice of a Question upon this subject before Easter, and had, at my solicitation, postponed it until to-morrow, in order that inquiry might be made into the facts. I must apologize also to the hon. and learned Member for the Denbigh Boroughs (Mr. Watkin Williams), who had addressed a Question upon this subject to the Chancellor of the Exchequer, although not going into the same detail as the hon. Member for Sheffield, and who postponed it till further Notice. As regards the Question now put to me, I may say —1, Factory workers were discharged while the factory was closed for stock-taking, cleaning and overhauling machinery, &c., to prevent their claiming wages for the period; 2, prices of female labour, piece-work, have been re-arranged, and in some instances reduced, but not to "slop-shop" prices, and women are now receiving 15*s.* a-week on time-work, and can earn from 14*s.* to 22*s.* a-week on piece-work; 3, there will be no objection to produce the scale of past and present rates. It is right to add that, at the instance of the Director of Clothing, it is proposed to institute an inquiry by a small committee, consisting of gentlemen conversant with business, but in no way connected with the Department or with the Public Service.

MR. MUNDELLA: In consequence of the answer which has just been given, and because I believe the noble Lord to be entirely misinformed as to the earnings of the workers, I beg to give Notice that on going into Committee of Supply I shall call attention to this subject.

THE HOUSES OF PARLIAMENT—OIL LAMPS.—QUESTION.

MR. MONK asked the First Commissioner of Works, What was the sum actually expended on oil and oil lamps in the Houses of Parliament during the last financial year?

MR. GERARD NOEL, in reply, said, that the sum expended on oil and oil lamps in the Houses of Parliament, during the financial year ending the 31st of March last, was £1,701 15*s.* 8*d.* The amount voted was £1,750.

AFGHANISTAN—THE WAR—ADVANCE ON CABUL.—QUESTIONS.

MR. DILLWYN said, he wished to ask the Chancellor of the Excehquer a Question, of which he had given him private Notice—namely, Whether his attention has been directed to a telegram in "The Times," stating that General Maude's division had left Jellalabad on its way to Cabul; and to a second telegram, which stated that the division had arrived at Gandamak?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am sorry to say that my attention has not been called to the telegrams, and I have not received any information on the subject; but perhaps my hon. Friend the Under Secretary of State for India will be able to answer the Question.

MR. E. STANHOPE: I did notice one telegram to which the hon. Member has referred, but the second escaped my notice. So far as regards the advance on Cabul, I can add nothing to what was said the other day. No sanction has been given by the Home Government to an advance on Cabul, and, so far as I know, no such advance on Cabul has been made.

SIR CHARLES W. DILKE: Will the hon. Member kindly inform the House whether or not Gandamak is about half-way between Jellalabad and Cabul?

MR. E. STANHOPE: It is on the way towards Cabul, no doubt. A portion of the Army has advanced in that direction; but that is quite a different thing from advancing upon Cabul.

SIR CHARLES W. DILKE: But I must remind the House of the Question put by the hon. Member for Hackney to the Chancellor of the Exchequer, last Thursday. I wish to know whether Gandamak is half-way to Cabul, and whether Lord Lytton communicated to the Home Government the arrival there of the division?

THE CHANCELLOR OF THE EXCHEQUER: It would have been more convenient if Notice had been given of these Questions. I have been very busy to-day, and have not looked at the newspapers nor seen the telegrams. The hon. Member for Swansea (Mr. Dillwyn) says he gave me private Notice of the Question; but that private Notice was only brought across the floor of the House to me since I took my place here. If the hon. Member will give Notice for to-morrow, the Question will be answered. I can only say now that I have heard nothing of the advance on Cabul since I answered the Question of the hon. Member for Hackney.

Mr. DILLWYN: I must apologize for not having given a longer Notice; but I thought it an important Question which should not be delayed. I will put it again to-morrow.

EGYPT—THE PAPERS.—QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, When the Egyptian Papers would be ready?

Mr. BOURKE, in reply, said, that the Papers with regard to Egypt had been presented, and he hoped they would be handed to hon. Members before the end of the week. They were brought down to a recent date, but he could not at that moment state the date for certain. He would, however, tell the hon. Gentleman who put the Question what the date was either to-morrow (Tuesday) or privately that evening.

SOUTH AFRICA—THE ZULU WAR—DISASTER ON THE INTOMBI RIVER.

QUESTION.

Sir ROBERT PEEL: Sir, I wish to ask the Secretary of State for War a Question of which I have given him private Notice, and which has a somewhat important bearing upon the conduct of military matters in South Africa. It is, Whether the attention of the Horse Guards or military authorities has been specially directed to the official Report of Lieutenant Harward of what occurred at the camp on the Intombi river on March 11? That officer states in his official Report that the camp was taken by surprise, the following being his words:—

> "Being awake about 4 a.m., I heard a shot fired. Captain Moriarty ordered the men to remain under arms. About 5, I heard a sudden call to the guard to turn out, and saw an immense body of Zulus attempting to surround the waggons. I directed my fire upon their flanks, but without any avail. I next observed that the enemy had gained full possession of the camp. Our men were retiring on the river. I directed my fire entirely with a view to cover the retreat of our men. Finding the Zulus were assegaing the men in the water and crossing in large numbers, I ordered a retreat. I endeavoured to rally the men, who, however, gave way, and a hand-to-hand fight ensued. All formation being lost, I mounted my horse and galloped into Luneberg at utmost speed, and reported all that had occurred."

What I want to know is, Whether this poor officer—the sole surviving one, I believe, of those who were engaged in the business to which I refer—is to receive a message of condolence and confidence; or whether, as he appeared to have left his men when fighting hand-to-hand with the enemy and galloped off to Luneberg, any notice is to be taken of such an extraordinary desertion of his duties?

Colonel STANLEY: Sir, I received, through the courtesy of the right hon. Gentleman a few minutes ago, and since I came to the House, Notice that he would put to me a Question this afternoon, on the subject of the special Report of the Intombi disaster. [Sir Robert Peel: Official Report.] Official Report. That did not give me a clue to enable me to obtain the necessary information required for a reply. Therefore, I shall be glad if the right hon. Gentleman will kindly repeat the Question to-morrow.

THE HERRING FISHERIES—REPORT OF THE COMMITTEE.

QUESTION.

Sir ALEXANDER GORDON asked the Lord Advocate, Whether it is the intention of the Government to take any action on the Report of the Committee appointed last year to inquire into the question of the Herring Fisheries?

The LORD ADVOCATE, in reply, said, it was not intended to take any action on the Report, the results arrived at being that the Commissioners were generally against legislation, and those points on which legislation was suggested by them were either of themselves so unimportant, or involved so much of what was controversial—at least, in Scotland it was controversial—that it was not intended to take any action in the matter.

MOTION.

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ORDERS OF THE DAY.

THE CHANCELLOR OF THE EXCHEQUER moved—

> "That the Orders of the Day subsequent to the Committee of Supply be postponed until after the Notice of Motion for the introduction of the Banking and Joint Stock Companies Bill."

MR. NEWDEGATE asked whether the right hon. Gentleman the Chancellor of the Exchequer would inform the House when it was the intention of the Government to take the second reading of the Indictable Offences Bill?

THE CHANCELLOR OF THE EXCHEQUER replied, that he was unable at the present moment to say when the Bill would be taken.

MR. O'DONNELL said, in making some observations on the Chancellor of the Exchequer's proposition, he did not mean to imply that he considered the proposed Bill might not be wanted; but he wished to point out, in the first place, that the effect of postponing all the Orders of the Day after Supply would be to postpone the Report of the Supply taken on Friday last. Those Votes were, to a large extent, taken by surprise. A large number of Votes relating to important Departments were then passed with hardly any Notice being given to the House. It was expected that the Clare Election Report would occupy a considerable time, and he believed that the subject was postponed only at a very early hour on Friday or late on Thursday. Under those circumstances, he thought there ought to be some guarantee that the Report of Supply should be taken at a time when these Votes could be more fully considered. Again, a large number of important Bills were already on the Paper, very few of which had made any progress, and he was not surprised at the desire expressed by the hon. Member for North Warwickshire (Mr. Newdegate) to know whether the Indictable Offences Bill would be proceeded with. It was only a short time ago that the leading journal stated that the Government had very small chance of carrying the Bills already on the Paper; but apart from that he, as an Irish Member, could not but feel that if the Government had any spare time on their hands, and were prepared to add to the number of Bills already before Parliament, it would be only just of them to re-consider their position with regard to University education in Ireland, and take the earliest opportunity of introducing a Bill to deal with the question. He would not occupy the time of the House by many observations on the subject; but when the Government proposed to introduce a Bill to facilitate financial business in this Kingdom, they might remember that by the policy of starving the intellect of Ireland, a policy which they were deliberately imposing, they were barring the progress of Ireland in every respect. The youth of Ireland could not compete with the youth of other nations, and the men of Ireland could not compete with the men of other nations in the marts of the world or in the common field of enterprize, in consequence of the steady suppression of Irish education, and the steady discouragement of Irish intellect, which formed part of the policy of the British Government with respect to Ireland. He ventured to remind the House that only a couple of days ago, on the Motion of the hon. Member for County Roscommon (the O'Conor Don), there were distributed to Members of this House copies of a Petition from their Roman Catholic fellow-subjects in Canada, praying that some facilities should be given for Catholic education in Ireland as had been already granted to the Catholic people of Canada. In what respect, he would ask, had their Roman Catholic fellow-subjects of Ireland fallen behind their Roman Catholic fellow-subjects of Canada? Could it be that proximity to the great Republic of America had obtained for the Catholics of Canada that justice and consideration for their rightful demands which had been denied to the defenceless Catholics of Ireland? He had no desire to delay the Business of the House, no desire to introduce irrelevant matter into the discussion; but he ventured to introduce this question on the present Motion. Every year that passed by with this steady suppression of the intellectual advancement of Ireland was so much intellectual and material loss to Ireland, and it was a cruel and shameful thing that the Catholic people of Ireland should be deprived of their rights while infidels, the Mahommedans of India, and our Catholic fellow-subjects in Canada were endowed with the full enjoyment of the rights denied to Catholics at home. He opposed the Motion of the Chancellor of the Exchequer in order to have an opportunity of making this protest against the conduct of the Government. He knew that his protest would be in vain; but he trusted that all Liberals who were worthy of Liberal principles, and Conservatives who did not wish to deny to Ireland the advantage of those principles which they maintained in England, would be moved by a generous impulse to give to the Catholics of Ireland those rights which had been granted to Her Majesty's subjects in other parts of the world.

ORDER OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

[*Progress.*]

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(1.) £24,699, to complete the sum for the Charity Commission.

MR. C. S. PARKER said, he wished to ask some explanation of this Vote, which included the Endowed Schools Commission. The Committee would observe that the Vote for that Department was reduced this year by one-fourth, and it was explained in a foot-note that the reduction was owing to the fact that the powers conferred by the Endowed Schools Acts would expire on the 31st of December this year. That would be satisfactory if the work to be done under the Acts were completed; but by the last Report which was laid on the Table a week or two ago, he found that that was very far from being the case. The total number of schemes that had been finally sanctioned either by the Endowed School Commissioners, or by the Charity Commissioners, who had now succeeded to their powers, was 515, dealing with endowments amounting to over £250,000. The schemes actually in progress at the end of the year were 170, dealing with endowments amounting to £177,000 annually; that was an average of about £1,000 a-year for each endowment. Supposing the Commissioners could have completed, by the end of the year, the whole of these 170 schemes, which would be more than they had done in any previous year, it seemed there would still remain no less than 690 cases of endowed schools, with an income amounting to £166,000. Of these cases 432 were grammar schools, having an income of £70,000. Under these circumstances, he wished to ask what was proposed to be done by Her Majesty's Government? The powers under the Acts, at the end of the year, if he understood aright, would not vest in the Charity Commissioners, or in any other authority, but would simply expire, which surely would not be satisfactory. If it were proposed by the Government to substitute any other mode of dealing with these endowments, then he supposed there should be some provision made in the Estimate. At all events, he hoped this was not an improper opportunity to seek explanation from the Secretary to the Treasury; or, perhaps, the noble Lord the Vice President of the Council for Education would inform him what were the intentions of the Government with respect to the remainder of this work? Excellent work had been done up to the present time by the Endowed School Commission, and afterwards by the Charity School Commission; and he wished to inquire how the work hitherto performed by them would be carried on in the future?

LORD GEORGE HAMILTON said, it was the intention of the Government to bring in a Bill renewing the powers of the Endowed Schools Commission. He need not dwell upon the subject, because he did not think that more effective or more economical machinery than that already in force could be found.

Vote *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £22,282, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Civil Service Commission."

GENERAL SIR GEORGE BALFOUR said, that this was one of the Estimates in the Civil Service Expenditure which had been enormously increased. In the year ending 31st March, 1873, the actual expenditure was £17,455, and for the year ending 31st March, 1880, it was estimated to be £26,882, the intermediate years showing a yearly constant increase. He made these observations not only to check the growing and enormous expenditure of the Civil Departments, but because he felt that this year the Military Expenditure would be very largely increased; and it behoved Her Majesty's Government, though they were civilians intrusted with the Expenditure of the country, to not only keep the Military and Naval Expenditure within reasonable limits, but the Civil Service Expenditure also, which showed far greater extravagance than those for the Forces.

Mr. O'DONNELL wished to receive some information on the Civil Service Commission. He wanted to know if the rules were still in force by which, as he understood, the students who were successful competitors at the Civil Service examination were required to attend one of the Universities as a condition for the receipt of their salary? He might be mistaken, but he understood that at present every candidate who passed the Civil Service Examination, say, for India—in fact, especially for India—in order to entitle him to draw the £150 or £200 a-year towards his support in prosecuting further studies, must attend a recognized University. Some years ago, as soon as a candidate had passed his examination, or obtained his nomination, he received £150 or £200 a-year without further obligation than to pass the periodical examinations. He desired to know if the obligation was now in existence of attending a University, in addition to the obligation of passing the periodical examinations?

Sir HENRY SELWIN-IBBETSON was afraid he could not give the hon. Member the answer he required at the present moment. He was not aware whether the obligation was still in force; but he believed that the examinations for the India Civil Service were open competitions, and that the only obligation at present was that a fee should be paid of £5. He would make all inquiry, and let the hon. Gentleman have a distinct reply to his question when the Report on Supply was brought forward.

Sir GEORGE BOWYER said, he was not prepared to oppose this Vote, although he wished that someone who was better able would lay the matter regarding these examinations before the House. Now, he thought, as he had always thought, that the true principle of examination for the Civil Service, or Military, or any other Service, should be this—that a candidate should be examined in matters appertaining to the duties which they would have to perform, because the object of these examinations was to ascertain whether the candidate was fit for the post he sought to fill. It was desirable to know what knowledge they had of those subjects which those duties involved, and what capacity they had for those duties. If the Civil Service examinations were confined to that, he would have no objection to raise; but he knew perfectly well that the examinations were not conducted on any principle of that sort, and that students were examined on matters which were perfectly alien to the Service. They were and could be no test whatever of the candidate's capacity for the duties of the Service. For instance, to his certain knowledge a young man seeking a commission in the Cavalry was examined in *Chaucer*. Now, he wanted to ask, how was it possible for anyone to say that a young Cavalry officer was more qualified for his place because he was well read in *Chaucer?* The thing seemed to him preposterous. He could give other instances of the same kind showing the folly of these examinations. He thought many of the offices might be filled without any examination at all, because the persons who were the most qualified for the duties were the persons who would not submit to examination. He knew another instance particularly pertinent. A few years ago the Copyhold, Inclosure, and Tithe Commission wanted a land surveyor, and they secured the services of a very experienced man. They were congratulating themselves upon obtaining so eminent a member of the profession of land surveyors, when they got a letter from the Treasury informing them that they had done wrong in appointing this gentleman, because he must be appointed by competitive examination. When the gentleman heard this he immediately resigned his appointment, remarking—"I am more than 40 years of age, and have obtained considerable eminence. I am not going to submit to this examination." He vacated his position, and the consequence was that the Commissioners got a land surveyor who was very inferior to the man they had originally procured. He wished to impress upon the Government the desirability of taking this matter into consideration. He would give another instance which came to his knowledge not long ago. It was the case of a young man who wished to join the Cavalry. He was a first-rate horseman, and in every respect would have made a brilliant Cavalry officer. He was a man of some fortune, and wished to go into the Cavalry out of pure love for the Service. He went before the Commissioners, but he could not get his commission because he could not pass a sufficiently good examination in mathematics. He wanted to know why a young officer in the Cavalry should know mathematics, which was a knowledge perfectly useless to a man in such a position? He had given two or three instances showing that the examinations were entirely wide of the mark, and that many of the subjects entered into at these examinations were perfectly useless to the young men who sought to fill the various positions. He wished that some hon. Member, with more knowledge of the subject than himself, would bring this subject before the House, with the view of securing that the examinations should be of a more practical character. Again, there was a very foolish regulation as to the age at which persons must go into the Civil Service. He knew a young man who wished to go into the Civil Service, but he could not do so because he had attained the advanced age of 25 years. He believed the age was 19 years at which young men should enter the Civil Service. Such a regulation was unwise, and contributed very largely to the detriment of the Service, inasmuch as it excluded therefrom many very excellent men. His opinion was that the effect of this system of competitive examination, or of examination at all, was to bring into the Service a number of very inferior young men. He was sure there were many men of great talent and experience and of great knowledge who, if examined in these subjects, would not be equal to a duller man with a good memory. That was the result of the system, and, therefore, the sooner it was fully considered with the view to a change the better. He hoped some hon. Member who had taken the trouble to inquire into the matter would bring the matter before the House, to show how the present system conduced to the detriment of the Service, and how the system could be made useful.

Mr. MUNDELLA said, he did not wish to continue the remarks which had just been made, but to call the attention of the Committee once again to what he thought was a scandalous item in this expenditure—he referred to the salary of the First Commissioner, £2,000. Now, the last time this question was discussed in the House, the right hon. Gentleman the Member for the University of London (Mr. Lowe) declared that, so far from there being employment for three Commissioners, there was barely sufficient employment for one Commissioner in connection with this Commission. At a time like the present, when the Chancellor of the Exchequer would be very glad of any addition to his Revenue that could be found, and when they had just heard from the Treasury Bench that in the War Office they had found it necessary to reduce the scanty earnings of the women employed in that Department, he wanted to know how a Vote of this kind could possibly be maintained? It really was a question which he should be very glad indeed if he could pass over; but really no one who had any regard for the Public Service, or who had any respect for the proper administration of the finances of the country, could pass over an item like this without comment. Here was the case of three Commissioners being employed, one at £2,000 a-year, for whom the place was especially created; and two at £1,200 a-year each, who were more than able to do the work. One of these Commissioners, he found by a foot-note, did not obtain sufficient employment in his office; the duties in the office, for which he received £1,200 a-year, did not give him sufficient employment. The foot-note was as follows:—

> "One of these Commissioners, when employed by the Record Office in editing a collection of Sagas, receives remuneration at the rate of £8 8s. per sheet."

They were all aware that that Commissioner discharged this duty in an admirable manner; no one could do it better than he could. But the Chancellor of the Exchequer could not rise in his place and say that there was any employment for these gentlemen at all adequate for the remuneration they received. He had had the honour of a seat in this House for the last 11 years, and the appointment of this First Commissioner was the most flagrant job in his recollection, and it was really extraordinary that it should be allowed to remain on their Estimates. The noble Lord who held the appointment (Lord Hampton) was over 80 years of age, and he was, as it were, pitchforked into the place without any special fitness, without any vacancy having occurred; for, when Sir Edward Ryan died, naturally his assistant Commissioner should have taken his place. If he had done that, the two Commissioners would have been able to discharge the duties of the Commission several times over. To put an old placeman, 80 years of age, upon the country at a cost of £2,000 a-year, which he was to receive for the rest of his life, was a scandalous thing, especially at a time when the country was suffering, when everybody was complaining about taxes and rates, when the School Board rates were described as black mail levied upon the country, and when they were actually in a state of impecuniosity. He begged to move the reduction of the Vote by the sum of £2,000.

Motion made, and Question proposed,

"That a sum not exceeding £20,282, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Civil Service Commission."—(*Mr. Mundella.*)

Sir HENRY SELWIN-IBBETSON said, the Committee was aware that this question was not raised now by the hon. Member for Sheffield for the first time; yet, at the same time, he would point out that the Committee had accepted the statement that was made by Her Majesty's Government last year as a justification, at all events, of this appointment. ["No, no!"] The hon. Member said "No!" Did the hon. Member recollect the result of what took place last year, and that the Committee, at all events, did assent to or confirm this appointment? Now, the hon. Member for Sheffield had said that the appointment of the First Commissioner was a most flagrant job; but the hon. Member seemed to forget to notice what an enormous increase there had been in the work of the Commission during the last two years. He completely concealed from the Committee that the reason for the additional appointment was the daily additional work that was thrown on that Commission. Since the first appointment of that Commission, enormous examinations had been intrusted to them; and the present action of the hon. Member really resolved itself into a personal attack upon the noble Lord the First Commissioner. The hon. Member for Sheffield himself stated that if, on Sir Edward Ryan's death, the First Assistant Commissioner had been appointed he would have been the proper person for his place; and then he (Sir Henry Selwin-Ibbetson) imagined that they would not have heard anything of this personal attack. The First Assistant was not appointed; but at that time, in consequence of the increase of work, a third Commissioner was appointed, and appointed as Chief Commissioner. The hon. Gentleman said that the noble Lord was appointed First Commissioner at a very advanced period of life. He challenged the hon. Gentleman, or any other Member of the Committee, to say that he could prove that the noble Lord doing the work of the Commission was not, even at his advanced period of life, quite as able and fit as any younger man to perform his duties. He ventured to say that no one who was accurately acquainted with the work of that Department would be able to state to the Committee that the noble Lord's work there was not as good, as sound, and as constant as the work of any member of that Commission. The hon. and learned Baronet the Member for Wexford (Sir George Bowyer) pointed out some objection he had to this Commission, and to its work. He understood the hon. and learned Baronet to say that he took objection to the way in which the examinations were conducted, and to the subjects which were made articles of examination. He was not prepared to say that there might not be instances, perhaps, in which the subjects might not be the best that could be selected for examination; but he thought that the hon. and learned Baronet would be ready to admit that this system, like other systems, might have faults, without being absolutely bad. He believed these examinations did fairly test the merits of the candidates for the various offices, and the results showed that they got a fair sample of good public servants. Another fault which the hon. and learned Baronet touched upon was the question of age; and there, although in certain cases the limitation might be as low as the hon. and learned Baronet said, he must say it did not apply to the whole of the Civil servants. There were many persons in the Civil Service who were subject to examination, and who were nominated for that examination at a far more advanced period of life; and a very large number of the competitors before the Commissioners were men who had already passed through the Universities, thus insuring that they must be at least more than 19 years of age. He thought the country was satisfied with the work which was done by this particular Commission, and with the results promised by the system generally. He must confess he was grieved to hear a second time during the period he had had the honour of occupying the Office he now held, an attack made upon the noble Lord (Lord Hampton) for accepting a place in the Civil Service; but he ventured to think that that was amply justified by the fact that the noble Lord performed the duties of his office to the satisfaction and good service of the country.

Mr. MUNDELLA said, that the last thing which would occur to him would be to make an attack upon the noble Lord. His attack was not upon the First Commissioner, but upon the Government. What he maintained was this—that the Government in this case perpetrated the most flagrant job that was ever perpetrated by any Government; and he repeated that, as to the noble Lord, he said nothing. He knew the noble Lord when he was a Member of this House, and entertained a high respect for him. As to Mr. Waddell, and why he was not appointed Chief Commissioner, he (Mr. Mundella) was not personally interested in that gentleman, and never spoke to him in his life. His objection to the appointment of Lord Hampton was entirely on public grounds. It was an entirely indefensible appointment, and he hoped he should never hold a seat in the House without denouncing such a scandalous job, and that he should speak as plainly whether it were committed by a Government which he supported or a Government which he opposed. He disclaimed, therefore, all personality, and all desire to detract from the merits of Lord Hampton; and he simply said this was a scandalous appointment, and one unworthy of Her Majesty's Government.

Mr. RYLANDS said, he thought the Committee were indebted to his hon. Friend the Member for Sheffield (Mr. Mundella) for having taken the course he had taken under a sense of high public duty, although it was disagreeable when, in a discussion, the qualifications of any individual official were brought into question. Along with his hon. Friend, he (Mr. Rylands) disclaimed any personal attack on the noble Lord, who, in past years, had evinced great ability and filled important Offices of State, no doubt, with distinction; but it was impossible—he ventured to say it was utterly impossible—for Her Majesty's Government, in the face of any large number of people out-of-doors, to satisfy them that they were justified in paying £2,000 to a noble Lord at the age of between 80 and 90. ["No, no!"] He believed the noble Lord was above 80 years old. [An hon. Member: No, he is not.] The hon. Baronet the Secretary to the Treasury was able to correct him (Mr. Rylands), if he was wrong; certainly his Lordship might be a very hale active man, but he believed he was over 80; but whether that were so or not, there was no doubt whatever that the noble Lord was brought into the position he now occupied because it was convenient to the Conservative Party, when they formed the Government, to leave the noble Lord out of the Cabinet, or any Ministerial Office; and, therefore, it was made a matter of convenience to place him in the position of First Commissioner of the Civil Service Commission. A book had just been handed to him by the hon. Baronet the Secretary to the Treasury, from which it appeared that the noble Lord was born in 1799, so that he was just about 80 years old; but the point did not depend upon whether the noble Lord was a year older or a year longer. The fact was felt, as he (Mr. Rylands) asserted at the time, and did now, that the appointment was one of the nature of a job; and although the Secretary to the Treasury said the Government had sufficiently answered the complaint they made against the appointment by carrying it against them by a majority of votes, the fact was there was no answer at all to the complaint. It was stated on the authority of the right hon. Gentleman the Member for the University of London (Mr. Lowe), and also by hon. Gentlemen on this side of the House, that at the time of the appointment of the noble Lord there was no necessity whatever for the appointment. It was stated that two Commissioners would be amply sufficient. The hon. Gentleman (Sir Henry Selwin-Ibbetson) said there was a sufficient argument in reply to the complaint, because the Government had a majority. The Government could always get a majority in Committee of Supply, and whatever case might be brought forward against them, it was, of course, defeated. He (Mr. Rylands) was aware that this Amendment of his hon. Friend the Member for Sheffield would be defeated; but, at all events, its supporters would have discharged a public duty in offering a protest against the continuance of an arrangement which they believed to be utterly indefensible. He would point out to the Secretary to the Treasury, who talked about the increasing work of the Commissioners, that since 1874 there had been an increased expense of £7,107, which would provide for a large number of officers, and he was quite sure there were enough of them without the First Commissioner. He should, therefore, support the Amendment.

Mr. RAMSAY said, the only explanation offered by the Secretary to the Treasury for the appointment of a third Commissioner was the great increase in the number of examinations before the Commission. Now, he would suggest to the hon. Gentleman that if he would inquire into the administration of the Civil Service Commission, he would find they might be relieved of many of the examinations which they now undertook. From his own experience in public offices, he found that messengers and message-boys were sent to be examined before the Commission, and the time was occupied in that way. He thought that was simply a farce, and that a school certificate was amply sufficient to show whether a boy-messenger was suited for his employment. As to the adult messengers, a case had occurred in the office with which he himself was connected, and a very worthy man who had satisfactorily served as messenger for several years had, on a change of office, to submit himself for examination. Therefore, he thought his hon. Friend should inquire what went on in these matters, and that the Civil Service Commission might be relieved of some of them without detriment to the Public Service. As to the criticism of the hon. and learned Member for Wexford (Sir George Bowyer) with regard to the examination of military officers, he did not agree that a knowledge of mathematics was unnecessary, but was of opinion that the scientific aspect of modern warfare and the nature of the implements used in it rendered a knowledge in mathematics essential before an officer was qualified to fill a high post in the Service.

Mr. MORGAN LLOYD wished to ask a question with regard to the payment which appeared to have been made to the senior clerk in the Department, who, in addition to his salary, received £83 10*s*. as examiner of book-keeping?

Mr. LYON PLAYFAIR said, having had considerable experience of the working of the Civil Service Commission during the time he was the President of the Inquiry Commission, he should like to say one or two words on the question before the Committee. No doubt, the work which was carried on by the Civil Service Commission was large and important, and would amply occupy the time of two Commissioners, with benefit to the public. But the point was not a personal question at all, but whether a case was made out for the third Commissioner being appointed. As far as his experience went, he saw no amount of work to justify the appointment of a third Commissioner. He imagined that those who voted in favour of the reduction of the Vote would do so from that point of view only, and not on any personal question. As there were women and women, so there were old men and old men, and everyone knew that Lord Hampton was a very young old man, and quite equal to his work. His Lordship had largely attended to the subject of education, and was an effective and good Commissioner.

If it were a question as to the fitness of Lord Hampton he should vote with the Government, believing that Nobleman to be fully worthy of the salary he received for the services he rendered; but that was not the question, and believing that no case had been made out for the appointment of a third Commissioner he should vote for the Amendment.

Sir HENRY SELWIN-IBBETSON said, he was very pleased to hear what had just fallen from the right hon. Gentleman (Mr. Lyon Playfair), and he could assure the hon. Member for Sheffield (Mr. Mundella) that nothing but his desire to defend the noble Lord, who he thought had been attacked, led him to say what he did just now. He quite accepted the hon. Member's interpretation of what had previously been said; and, therefore, the question before the Committee was limited now to the question whether the number of the Commissioners was justified. He would merely point out to the Committee the great variety, and the necessary division, of the work of the Commission. They had the whole of the Army examinations, and during the last year or two they had had the preliminary examinations for the Army. There was open competition now for a variety of Services which were thrown open just before the Government came into Office, and the growth of the work of the Commission was such that it had certainly more than doubled. In reply to the question of the hon. and learned Member for Beaumaris (Mr. Morgan Lloyd), the extra payment made to the chief clerk was for work done out of official hours by a gentleman who possessed peculiar qualifications and was most fitted for the work which was intrusted to him, and the reason for its being recorded here was that the Treasury had endeavoured in the Estimates to show every sum of money that was taken by every individual in the Public Service, either during his official hours or otherwise, if it came from official sources.

Mr. THOMSON HANKEY said, he disclaimed any idea of attacking the competency of Lord Hampton, who was well known to hon. Members of the House, and who efficiently discharged every public duty. But on the question whether three Commissioners were required, he ventured to take a different view from that of the Secretary to the Treasury. The additional work which had been pointed out had not been thrown upon the Chief Commissioner, who was the referee in all questions in dispute, and before whom all important questions doubtless came, but who was not engaged in the ordinary routine of examinations, and, therefore, the examining of all these people did not increase his work. Besides, as had been pointed out, many of these examinations, which went even down to the selection of a housemaid, were perfectly useless. Surely it was not necessary that people of that kind should go before the Commissioners for a certificate; the chief clerk of either of the Departments could equally well determine whether a person was fit to be a porter or a messenger. To throw such duties upon the Commissioners was a waste of time and money which ought to be inquired into, and which indicated the existence of a wrong system.

Sir JOSEPH M'KENNA said, he wished to add his protest to that of the hon. and learned Member for Wexford (Sir George Bowyer) against the system of competitive examination. A man who was wanted as a carpenter and joiner would not be examined by his intended employer in gilding and plastering. That would be absurd; but the examinations for clerkships in the Civil Service were on subjects as foreign to the duties as it was possible to imagine. As to the examination for a Cavalry officer, already adverted to, he thought that a man should be examined for every office that was worth an examination at all in the rudiments of English literature, the principles of Common Law, and the history of his own country; but when a man was able to read and write grammatically, when he understood something of the Constitution under which he lived, when he had, in fact, qualified himself as an ordinary citizen to go respectably through the affairs of life, the only thing he should be examined in should be his fitness for the duties he was to discharge in the Public Service. He could name many men who had been crammed in order to obtain a nomination, and he had been very much disappointed at the result of the cramming process. They were, no doubt, able to make out rapidly the answers to certain questions which they expected, and they knew something in a superficial way of the salient points of history; but they were frequently more ignorant than many men who would have been rejected in such an examination. Of course, this was only a desultory conversation which had sprung up, and this was probably not the most fitting occasion to deal with the subject; but he hoped it would impress itself upon the mind of the Government, because there was a feeling which was largely shared amongst men of experience that these examinations were not suitable tests of fitness for the positions that were designed to be filled, and that the system operated from time to time to prevent their getting the best men and youths into the Public Service.

MR. M'LAREN said, he should support the Amendment. The great increase of work had been put forward as the excuse for the appointment of an extra Commissoner; but it had not been shown that the Commissioners did the work in question. He found there was a director of examinations at a salary of £1,000, an assistant examiner at £800, and another assistant examiner at £373, and there were also a secretary and a registrar. Those persons, he believed, did the bulk of the work, whilst as to the mere technicalities and copying and forms, there was a whole swarm of clerks; there were no fewer than 27 clerks on the establishment to register the results of the examinations. Therefore, he thought that the number of examinations could not be given as a reason for having a First Commissioner, and that no case whatever had been made out for his appointment.

Question put.

The Committee *divided*:—Ayes 94; Noes 110: Majority 16.—(Div. List, No. 69.)

MR. O'DONNELL wished to draw attention to the amended regulations with regard to the Civil Service examinations for India. A very important question arose with respect to them, for under the old system of the Indian Civil Service examinations there was great fairness, and every denomination that competed was on an equal footing; but under the regulations at present in existence there had been a change very much for the worse. Under the old system the successful candidate was entitled to £150 or £200 a-year for two years, and pursued his course of studies in any place of study he pleased, the only obligation upon him being that he should pass his periodical examinations. Under these circumstances, a student could complete his preparation for India either in the new Catholic University College at Kensington, or in the Catholic University in Ireland, so long as he was able to pass the periodical examinations, and the Government asked no more questions, but allowed him to receive his allowance of £150 or £200 a-year just as if he had been attending at some Protestant University. Under the recent regulations, the Catholic student who chose to complete his education—to complete his preparation for the Indian Civil Service—at one of the Catholic educational establishments, forfeited his right to the £150 or £200 a-year which, under the previous circumstances, he would have been equally entitled to with any of his Protestant colleagues. This was a question of the very first importance, for these regulations were directed against certain classes of candidates—namely, those who objected to certain class educational establishments in this country. The hon. Baronet the Secretary to the Treasury had stated that he could give no information on the subject; but he submitted that the passing of this Vote was largely dependent upon the information supplied to the House, and if no information could be given to the House, there was no assurance that the class disabilities imposed upon the Catholic competitors for the Indian Civil Service had not been removed. The best thing, therefore, was to postpone the passing of this Vote until the necessary information had been given. There were some other points to which he should like to allude. He found that fees were levied upon the competitors in these examinations by means of stamps, and that the proceeds of those fees were appropriated to the Imperial Exchequer. He failed, at that moment, to see why that distinction should be drawn, why the fees paid by candidates for the Civil Service of India should not go over to the Indian Exchequer in the same manner in which the fees paid by candidates for the Civil Service at home went into the Home Exchequer. Further, he should like to know what regulations were in force, or whether any reforms were proposed, with regard to the admission of Native Indian-born competitors for the Civil Service of India? It was well known that with the advance of education in India a larger number of Indians were qualified to enter into ordinary and fair competition for the Public Service of the Crown in India. But if, as it was complained, the subjects chosen for the examination were not fair to the Indian competitors, it was quite evident that there must be a very great diminution of the Indian element in the Civil Service. The Duke of Argyll, and other Secretaries of State for India, had a strong opinion in favour of increasing the Native element in the Indian Civil Service. But there were two ways of increasing the numbers of Native Indians in the Civil Service. There was the system of fair and open competition, giving a fair chance to all; and the system of patronage, by picking and choosing at the hands of some officials. There had recently been some instances of Indians being appointed to the Indian Civil Service, not upon the system of fair competition, but by means of patronage, and that for reasons which the general public failed to see. Some time ago, a considerable scandal was caused in India by the appointment of a Native Indian gentleman, whose only qualifications seemed to be his high birth and influential connections. The Native Indian Press raised a loud and justifiable outcry against this specimen of the working of the system of patronage in the Indian Civil Service. If that House took any interest in the management of its Indian Empire, it ought to have some information as to the working of that system, which was the normal condition of the Government of India. If it were proper or expedient to exclude from the Administration of India all the Native-born Indians, then they had a principle to go upon, whatever might be the working of that principle. But if, on the other hand, it was worth while to admit into the Indian Service Native-born Indians, then surely it was worth while to see that a proper principle of admission was adopted. In his opinion, the proper principle of admission was not the principle of picking or choosing—call it by whatever grandiloquent name they might, and by this or that high authority. If the system of open competition had been justifiably substituted at home for the patronage principle, *à fortiori*, open competition ought to be substituted in India. If all speakers in this country, all the national Press, and all the Representatives of the nation in Parliament, were of opinion that for the Public Service at Home the system of patronage was a dangerous practice, and was a practice not calculated to enlist the best talents in the Service of the country, surely in India, where there were such slight safeguards, where there was no Parliamentary representation, the patronage system was surrounded by vastly greater danger than it could possibly be surrounded with at Home. When the Government brought forward Votes on this account, as they were bound to do, he thought they were equally bound to come provided with abundant information upon such all-important subjects as this. In asking the House to vote the necessary sums for conducting the work of the Civil Service Commission, it was right that they should inform the House what were the principles upon which that Civil Service Commission was itself conducted. They were asked to vote money in the dark, so long as they were not fully informed of the manner in which the sums voted were to be expended. He had pointed out, with regard even to the English and Irish competitors for the Civil Service, that recent regulations had imposed heavy conscientious disabilities upon Catholic students; they were no longer allowed to qualify themselves for the periodical examinations by studying in such places of education as might be recommended by their own convictions. With regard to the Indian Civil Service, there was the greatest possible cause for discontent. He should like to know whether there was any intention of raising the proportion of Native-born Indians in the Civil Service; and if the proportion was to be raised, upon what principles it was to be raised? Were the Natives selected for the Indian Service to be chosen by favour of some authority, or by fair and open competition? He should like the Government to inform them exactly and accurately what were the principles that had been adopted, and what means had been taken to carry the principle into practice?

Sir HENRY SELWIN-IBBETSON said, he would endeavour to place before the Committee what had taken place with regard to the matters to which the hon. Member for Dungarvan had alluded. He would first state that the examinations of persons for the Civil Service of India were conducted under regulations framed by the Secretary of State for India. Those regulations were drawn up with the view of providing for a proper course of instruction to be obtained by the successful candidates, who had passed the competitive examinations, during the period that they were preparing themselves for the series of examinations which they were to undergo before the examiner. It was thought desirable, in the interest of the candidates themselves, that they should go to places where they were subjected to certain rules. The consequence was that the allowance was only made to them upon the condition that they should get their instruction at certain Universities to be approved of by the Secretary of State for India. He thought he was justified in saying that during the time the present noble Lord the Minister for Foreign Affairs was at the India Office he had before him many members of the Roman Catholic persuasion, and satisfied them completely that they could fulfil the conditions he required with regard to their Universities, and that they would be eligible to receive students. He pointed out to them that a certain moral control over these young men was necessary, instead of their being allowed to live by themselves, surrounded by temptations, in the early part of their career. He proved completely to those gentlemen that none of the conditions he required were impossible in any of the Roman Catholic Universities or Colleges. No difficulty need arise in the case, and if the conditions of those institutions were similar to those of the Universities of Oxford and Cambridge, the hon. Member would have had no cause to complain of the students not being allowed to attend the Universities of their own denomination. Another question had been asked by the hon. Member with regard to the fees derived from the competitive examinations. He asked why the fees obtained from the candidates in the competitive examinations for the Civil Service of India were not paid into the Indian instead of the Imperial Exchequer? For his part, he (Sir Henry Selwin-Ibbetson) could understand that if the Examining Body were paid from the funds of India the fees ought to go into the Indian Exchequer; but as the Body conducting the examinations was paid by the English taxpayer, so the fees were gathered for the English taxpayer. With regard to the further question of the hon. Member, it seemed to him to affect the whole question of the Civil Service of India. He would remind the hon. Member, when he complained of the difficulty of Indians coming forward for the examination, that there was a mode by which they were placed in the Service without examination, and that was by allowing the Viceroy to select persons for the Civil Service. It was quite true that the form of the examination could be altered, in order to embrace the subjects of the Indian Empire; but the plan adopted had for its object the bringing into the Service men who were supposed to be thoroughly qualified.

Mr. C. BECKETT-DENISON observed, that this was a most inconvenient occasion on which to discuss these matters. But he entirely demurred to what had fallen from the hon. Member for Dungarvan (Mr. O'Donnell), in taking objection to the Governor General having the power to select, from time to time, Indian gentlemen of high birth and good position, who might be considered qualified for the Civil Service. If the hon. Member knew as much of India as he did, he would readily admit that it was of great importance to popularize the Civil Administration in that country by admitting into its ranks gentlemen of large social influence. He did not intend further to discuss the question on that occasion, as he considered it would be more properly raised on another occasion.

Mr. O'DONNELL said, that if the hon. Member knew as much about India as he did on that particular point, he would not have made the observations he had. The objection to the Viceroy enjoying the power of choosing gentlemen for the Indian Civil Service was supported by the most qualified and, in every respect, the most deserving of the Native Press of India. The British Indian Association, and similar Bodies, had also strongly expressed their opinion that this system of patronage, always dangerous even in highly-civilized countries, was still more dangerous in India. The newspapers had again and again directed their articles against the practice to which the hon. Member deposed of his own knowledge to be beneficial to India. It was plain that this power given to the Viceroy, and especially under the circumstances of the Viceregal Government, was particularly dangerous. When patronage was exercised by great Officers at Home there were special safeguards; but what was the case with regard to the Viceroy of India? He was generally so utterly raw and inexperienced—as in the case of the present Viceroy—that he knew nothing whatever about Native Indian affairs until he set foot in that country. The right hon. Gentleman the Member for Birmingham referred to the case of the Viceroy being detected in the act of making up India from *Mills' India.* It would be the highest compliment that could be paid to the present Viceroy, if they supposed he employed his time on the voyage to India in a similar occupation. The present Viceroy went to India totally ignorant of Native affairs; he had the power to select Natives, and, in practice, that power came to this—that some of the Government officials had the entire selection. The name of the Vicery was only brought in as a pure piece of grandiloquence; it was his right-hand man, or, perhaps, the right-hand man of the right-hand man, that really selected the individual. Moreover, there were influences other than masculine ones very potent in India. The present system was not in favour with the educated classes in India. While he ventured to give expression to the opinions of Native Indians, he trusted that hon. Members would not get up and say that he knew nothing about it.

Original Question put, and *agreed to.*

(3.) £13,907, to complete the sum for the Copyhold, Inclosure, and Tithe Commission, *agreed to.*

(4.) £6,890, to complete the sum for Inclosure and Drainage Acts, Imprest Expenses, *agreed to.*

(5.) £45,450, to complete the sum for the Exchequer and Audit Department.

Mr. MONK wished for some information as to the increase in this Vote. Perhaps the hon. Baronet the Secretary to the Treasury could tell the reason why the staff of clerks in the Audit Office was increased from 68 to 80? Moreover, he did not see why 15 charwomen should be employed to take care of the Audit Office. The increase in the Vote seemed abnormal, and he thought required explanation.

Sir HENRY SELWIN-IBBETSON explained that the increase was due to the establishment of the Army Test Audit. That Audit necessitated a considerable increase in the staff, amounting in the Estimate to about £3,000. With respect to the 15 charwomen, he did not think that the Treasury exercised any power over them. He would say, however, that the Treasury never sanctioned any addition to the Vote, unless it was proved to be absolutely necessary by the officers of the Department.

Mr. O'DONNELL supposed that the expenses of this Department were increased by the augmented Expenditure of the Government. No doubt, the expenditure of the £6,000,000 last year, and of the Afghan War, occupied the attention of the Audit Office. For his part, he was rather surprised at the small number of charwomen required in cleaning up the mess from the policy of Her Majesty's Ministers.

Mr. GREGORY said, that the increase of the Vote for the Audit Office was, no doubt, due to the Act passed in the last Parliament for removing the control of the funds in the Court of Chancery to that Department from the Accountant General. He ventured to express his opinion of this at the time; and he still maintained the opinion that expenditure had been unnecessarily increased.

General Sir GEORGE BALFOUR said, that as an increase was continually going on in the Civil Public Expenditure, and as no one who looked into the Accounts could fail to see the yearly increasing amounts, they could only come to the conclusion that there would be no end to the Civil expenses, unless some check could be brought to bear. The cost of Audit had been discussed, but the amounts due for the several kinds of Audit were not known. If they could tell distinctly what the cost of each of the Audits was, they would be able to discuss the question with some degree of usefulness as to whether the benefit from the Audit was worth the money spent on it; but as no one knew what the cost of any particular Audit would be, it was useless to discuss the increase. His own impression was that the amount of the Army and Navy Audit increase had been a good deal more than £3,000. But what he wished strongly to complain of was the incomplete manner in which the Civil Expenditure of the country was audited by reason of the power possessed by the Treasury to regulate the forms of accounts and vouchers for outlays. There was no branch of the Expenditure of the country so badly audited as that under the Treasury. He held in his hand the Appropriation Account of the Civil Service; and he asserted that if the same kind of Audit had been made on the Treasury Accounts which were laid by that Department before the Auditor General, as was done in the Army and Navy, they would have many hon. Members rising up to draw attention to the Reports of the Auditor General. No more effectual means could be taken to encourage the vast increase in the Civil Expenditure than was done by the present mode of framing the Appropriation Account, which the Auditor General received from the Civil Departments. On looking at that Account they found that the expenditure was stated in a manner entirely at variance with the requirements of the Act of Parliament for the Army and Navy. With regard to the expenditure of the Army and Navy, though as yet far from complete, they had a most minute and detailed Audit on the several items shown in the Estimates of these Departments; but, in the case of the Civil Service, there was not a single item of expenditure that was brought under the proper head, as detailed in their Estimates, all the details therein being lumped up in totals very difficult, if not impossible, to trace out. With regard to the perfection of the mode in which the Army Expenditure was stated, he could speak from his own experience that that mode was far superior to what was done in the case of the Civil Service.

MR. THOMSON HANKEY would appeal to the hon. Baronet the Secretary to the Treasury to bear him out in saying that the mode in which the Auditor General discharged his duties was of a most admirable nature; and he was sure that the same would be said by every hon. Member who had sat upon the Public Accounts Committee. When the hon. and gallant Member objected to the way in which the Auditor General discharged his duty, he hoped that that officer would be defended by the Secretary to the Treasury. He would venture to appeal to his hon. Friends opposite, and to every other hon. Member who had sat upon that Committee, to say that the charge made against the Auditor General was not a true one. For his part, he thought him only too minute, and considered that sometimes he paid too great attention to minutiæ to be repaid by the result. When the hon. and gallant Member said that the Army and Navy Accounts, which had only been recently brought under examination were audited in a perfect manner, and that the Civil Service Accounts were not done properly, he would affirm that the Secretary to the Treasury paid great attention to the matter, and checked every unwarrantable expenditure that occurred.

GENERAL SIR GEORGE BALFOUR remarked that nothing was more undesirable than to make statements with regard to what hon. Members had said, which were utterly contrary to what they had actually said. He never imputed to the Auditor General any neglect or omission in any form or shape. Sir William Dunbar was well known to him, and he held him in the highest respect as an officer who had served the Government well, discharging his duties most thoroughly. It was not true to say that the Army and Navy Expenditure had only been audited for the last two or three years, for it had, in fact, been audited since 1846. What he had complained of was that the Civil Expenditure of the country, which was continually increasing, was not audited half so well as the Army and Navy Expenditure; and that the Appropriation Account for the Civil Service was not framed in the same way as it was in the cases of those Departments. His complaint was in no way against Sir William Dunbar; but he submitted that the mode of massing the various items of the Civil Expenditure of the country under a few heads was improper, and, he believed, inconsistent with the real intentions of the Act of Parliament. The manner of auditing the Civil Expenditure ought to be carried out so as to show the mode in which the expenditure entered in the Estimates was accounted for in actual and real accounts, and in the same manner as was done in the case of the Army. The Appropriation Accounts of the Civil Expenditure of the country was put forward in a form entirely different from that in which the Civil Service Expenditure was placed before the House in the Estimates. The House had a right to know whether the expenditure had been appropriated to the particular Offices, and particular persons engaged in the several branches, and whether the salaries had been appropriated to the proper persons named in the Estimates, or applied in a way different from the entries in the Estimates. That was by no means an unimportant matter, for there might be a kind of misappropriation going on between one Department and another, and even in the same branch, but for which Sir William Dunbar was in no way responsible. He trusted the Secretary to the Treasury would not defend Sir William Dunbar, for he had not attacked him. He was not in the habit of attacking anyone, and his only wish was that the Public Business of Audit should be properly conducted. There was a great difference between the way in which the civil and military officers performed their duty, and that duty which was imposed upon them should, as respected Audit, be uniform.

Sir HENRY SELWIN-IBBETSON could assure hon. Members that Sir William Dunbar was a most able public servant. With regard to the Treasury, and the control it exercised over the Expenditure, if the hon. and gallant Member were to look for its records, he would find evidence of the work done which would thoroughly satisfy even his ardent mind. He would remind the hon. and gallant Member, also, that practically the Auditor General was not under the control of the Treasury. Although his Audit had to be submitted to the Treasury, and he was in communication with the Treasury, yet he was quite independent, and justly so, of the Treasury or any other Government Department. His duties were to prepare the Audits and every particular Account, not only of the Army and Navy, but of the Civil Service. He ventured to say that in whatever way the Audit was made it would make no difference, for the Auditor General exercised the most scrupulous care, and reduced, so far as possible, the Expenditure within its proper limits. There was ample evidence of the able way in which the Auditor General did his work, his attention being given even to the most minute and trifling accounts. He confessed that he did not think that very much would be gained if the Accounts were audited in the way suggested by the hon. and gallant Member, although it would throw additional work on the Auditor General. If the Army Test Audit cost considerably more than what it was estimated, still there was no doubt of the benefits derived from it. With regard to the Navy Test Audit, it had not yet come into operation, and therefore did not appear in the Accounts.

Sir GEORGE BOWYER could not permit this Vote to pass without making some observations upon it. With regard to his friend Sir William Dunbar, everyone knew that he discharged his duties in the most perfect way; but what was at fault was, not Sir William Dunbar, but simply the system. By an Act passed in the present Reign, the offices of the Comptroller and Auditor General were united together. Although an improvement was supposed to have been thereby made, yet he considered that an anomaly was thereby introduced into the Public Service. By the union of the office of Comptroller with that of Auditor General, the Comptroller was actually made the Auditor of his own accounts. If there was one thing more than another which was contrary to the principle of administration, he imagined that it was the system of making a public officer auditor of his own accounts. Supposing a gentleman had a receiver of his rents, and he also appointed that person auditor of his accounts, anyone would say, if he suffered a loss, that he deserved to do so. Formerly, no money was paid out of the Exchequer without the consent of the Comptroller, whose office was like that of the Judges on good behaviour, and irremovable. That that was a good system was affirmed by Lord Lyndhurst, in a famous speech in the House of Lords, in which he said that his wish was to carry out the principle to its completion, and that it was an essential part of the Administration of this country. That system had been found inconvenient to official persons, and it had been found easier to manage things without any control at all. In consequence of that, the Act was passed by which the Auditor and Comptroller Generals were made the same person. His complaint was not that the Auditor General's Department was not conducted properly. But if the Auditor General's Office was to be of any use at all, it must have sufficient authority for the business it was to transact. The whole complaint of the Auditor General was that he had no control over the Government. He could not require them to bring in their Accounts in the proper time; at one time he was overwhelmed with work, at another he was entirely idle. Moreover, he could not examine officials, or compel them to produce documents; and prosecutions could only be undertaken by the Attorney General by information in the Exchequer. At the present moment the Audit Office was nothing better than a Department of the Treasury, and had no authority of its own. It was well known what occurred a short time back, when there was a considerable misappropriation of money in one Department. That went on to the amount of nearly £1,000,000 sterling. It was said, why did not the Audit Office see that this misappropriation of public money did not take place? It was asked, why did it not prevent the Postmaster General, now a noble Lord of the other House, from making use in the Telegraph Department of money not intended to be used in that Department? The answer was that Sir William Dunbar repeatedly reported to the Treasury that the account of the Postmaster General was overdrawn for a very large amount, and that the Treasury told him to mind his own business; and so the matter went on. And so it went on, until there was a very great row. When the disturbance occurred, it showed that the Auditor General had no authority. The Audit Department ought to have had the power of summoning the Postmaster General and the Secretary to the Post Office, and of stopping this misappropriation of public money. Instead of that, it only reported to the Treasury, which did nothing. The Audit Office had no power over a Secretary of State to compel him to account. The Audit Office could not interfere in any way but by reporting to the Treasury. Moreover, every Department of the Audit Office was conducted by direction of the Treasury, and every regulation for the Audit Office was framed by the Treasury. If the Treasury, in fact, told the Audit Office to do a certain thing, it must do it. He thought he had said enough to show that it was a Department of the Treasury, and was bound hand-and-foot to it. At any rate, it had no authority of its own to compel the officers of any Department to produce accounts, vouchers, or other papers, and it could not make them account. For these reasons, he hoped that hon. Members would see that he was right in calling attention to these matters. He trusted that they would one day have in this country something similar to what Napoleon I. instituted—namely, a Chamber of Accounts. They ought to have a superior Court of Public Accounts. The Committee on Public Accounts would still continue its valuable functions, and it would be greatly assisted by the Audit Office, which ought to be the supreme authority of Accounts, with the obligation and power of making everyone who received money account for it, and having power over all accountants. There ought to be power of compelling the production of accounts and vouchers, instead of the present imperfect system. Now, all the Audit Office could do was to apply to the Treasury, which might, or might not, interfere; and, at any rate, the Treasury was in substance the Ministry of the day. He wished to see such an Audit of Accounts instituted as would be perfectly free of the Government and of all political officers whatever, and accountable only to that House.

Mr. DILLWYN said, that, so far as he understood the matter, the Auditor General was now an officer who was appointed, together with all his assistants, independently of the Treasury, which was not formerly the case. All his staff formerly were clerks appointed and regulated by the Treasury. [General Sir George Balfour: So they are now.] He (Mr. Dillwyn) hoped that the hon. Baronet the Secretary to the Treasury would make it clear whether this was the case, or whether the staff of the Audit Office had still anything to do with the Treasury. There was no doubt that the Auditor General formerly reported to the Treasury, and, for his part, he thought this to have been objectionable. Now, however, the Auditor General reported directly to that House, and not to the Treasury; and he believed that that was a system properly adapted for the regulation of the Audit Office. His hon. and gallant Friend seemed to think that he had the control of the expenditure in some way. [General Sir GEORGE BALFOUR denied that that was his opinion.] He (Mr. Dillwyn) said, that there was an opinion that the Auditor General and the Committee on Public Accounts had something to do with the expenditure. They had nothing to do but to audit the Accounts brought before them. All that the Auditor General had to do was to see that the Appropriation Act was complied with. So far as he was able to judge, he did his duty exceedingly well, and was completely and absolutely independent of the Treasury. He should be glad to hear that confirmed from the Treasury Bench; for if the Treasury still retained any control over the Audit Department, the fact should be brought before the notice of the House.

GENERAL SIR GEORGE BALFOUR denied having said that the Auditor General was an officer under the Treasury; but he was still under the impression that all the clerks of the Audit Office were under the Treasury, by reason of their claims for advancement and for increase of pay being subordinate to the Treasury. What he complained of was that if there was anything wrong in the Accounts of the Civil Expenditure as submitted to the Audit Office, it was owing to the control which the Treasury had and did exercise over the form of their Accounts, and over the vouchers; and he believed the Treasury was in the habit of sending for the Accountant of the Department, who was in subordination to the Treasury as regarded the Civil outlay. He had quoted the case of the Post Office to show that the Auditor General continually reported to the Treasury that the accounts of the Post Office were much overdrawn, and yet that nothing was done. The Treasury was to blame for not having stopped it; for it ought to have taken the trouble to send for the Postmaster General and the Secretary for the Post Office before the Audit Department to explain the matter to them.

SIR HENRY SELWIN-IBBETSON said, that the real history of this case was that the Comptroller and Auditor General and his Assistant were officers holding office on good behaviour, and irremovable except by Parliament. By the 89th section of the Act, uniting the offices of Comptroller and Auditor General, the staff of those Offices was supposed to be appointed by the Treasury. They were now appointed by open competition, after examination by the Civil Service Examiners. All the regulations of the Audit Department, and all its internal administration, were within the complete control of the Comptroller and Auditor General, who was completely independent of the Treasury. It was true, as he was reminded, that those regulations must be approved by the Treasury. But, so far from the Treasury now appointing the clerks, they were all appointed by open competition. What the Treasury had to do, so far as regarded the Comptroller and Auditor General, was to enforce his regulations on all other Departments. To that extent the Treasury and the Auditor General were one Office; but, so far as control over the Auditor General went, the Treasury had none.

MR. DILLWYN asked if the Auditor General had any interference with the promotion within his Office?

SIR ANDREW LUSK said, that his experience was that there were Auditors and Auditors, and it was no valid reason for not criticizing Accounts that they had been gone through by the Audit Office. The House should be able to criticize every Office. Sir William Dunbar was a good officer; but he was not a bit the worse for being looked after. He hoped that the discussion of this matter would have a salutary effect.

SIR HENRY SELWIN-IBBETSON, in answer to the hon. Member for Swansea (Mr. Dillwyn), said, that the officers of the Audit Department were removed under regulations made by the Comptroller and Auditor General. It was quite true that those regulations must be made subject to the approval of the Treasury; but without that check the Auditor General would be able to appoint any number of officers. So long as there was a Department like the Treasury controlling the finances of the country, he ventured to think that it must be invested with so much authority as to have a voice in the increase or otherwise of all the Public Departments. The arrangements of his Office were made by the Comptroller and Auditor General, subject only to the control of the Treasury. In all other respects, he was perfectly independent of the Treasury.

Sir ALEXANDER GORDON wished to remind the hon. Baronet the Secretary to the Treasury that the Auditor General had constantly complained that he could not obtain that information from the different Departments which he required. Any hon. Member who looked through his Reports would see that complaint continually occurred. He said that he had not been able to do his duty, owing to documents or information not being supplied. It should be borne in mind that for the purposes of audit the Treasury and the Auditor General were not co-ordinate, and that the former ought to have supplied him with any documents or information he required.

Sir HENRY SELWIN-IBBETSON observed, that if the hon. and gallant Gentleman had been better acquainted with the facts he would not have made the speech he had made. He assumed that the Treasury was in the habit of refusing the requests of the Auditor General. It was true that the Report of the Auditor General showed that he had not on many occasions received from the Treasury the information he required; but anyone who was acquainted with the duties and the conduct of departmental work must be aware that many of the inquiries of the Auditor General were such as took a very long time before they could be answered. To take one point by way of example—that with regard to the audit and arrangement and payment of the charges connected with Indian affairs. The Auditor General constantly reported that the Treasury had not satisfied his requirements upon that point. The fact was that a long Correspondence had been going on with the Indian Government and the War Office, and the whole thing had been going on for years and was only on the eve of completion. Yet that was one of the points upon which the Auditor General continually reported that he had not been satisfied. It must not be thought that the Treasury had been refusing to satisfy him; but that the necessary Correspondence and inquiries had not yet enabled them to furnish the required information. In many cases, before the Treasury could give any definite answer to the inquiries of the Auditor General, it was necessary to make a careful examination into the matter, which often took a considerable time.

General Sir GEORGE BALFOUR was anxious to explain the observations which he had previously made. Before the Act of 1866 the Audit with regard to the Naval and Military Expenditure was considered very defective, and yet the Act of 1866 actually established for the Civil Service outlay the power of the Treasury to regulate the Accounts in any form that Department pleased, for showing the Civil Expenditure. The Act also required the Audits to accept the vouchers for that outlay, provided they were duly initiated by the Accounting Officer, a practice far more independent than that followed in respect to the Military Expenditure. But the system now pursued in the Audit of the Military Expenditure was very much superior to anything done with regard to the Civil Expenditure, because the Auditor General was left entirely free as regarded the form of the Account and the character of the vouchers. In the case of the Civil Expenditure, the form in which the audit was to take place was laid down by the Treasury; whereas, in the case of the Army, the Auditor General was obliged to state the Accounts as they were stated in the Estimates, and compare the items with the Expenditure. But with regard to the Civil Expenditure, the Treasury did not adopt that rule. One great objection to the former system with regard to the Army Expenditure was that the Secretary of State was, in fact, his own auditor. But now, not a single sum was expended in the War Office without a voucher for is being forwarded to the Auditor General'- Office for detailed minute examination. In the case of the Civil Expenditure, the Treasury had power to do part ticularly what they thought fit, both as regarded the form of the Account and the examination of the voucher; and the objection as to the Audit being in their own hand was, therefore, the same with regard to them, though in a more objectionable form, as it was formerly in the case of the Army. He objected most strongly to the system under which the

Treasury at present acted. No one could read the Act of Parliament regulating these matters without saying that the proper system for insuring a free and independent Audit by the Auditor General was not pursued as regarded the Civil Expenditure. The Treasury now had power to step in and say that they would have any form of Audit they pleased, because that Department regulated the form of the Account, and appointed the Accountant, whose initials on the voucher were accepted as proof. He submitted to the Secretary to the Treasury that the only safe way for auditing the Civil Expenditure was to allow the Auditor General to take as the basis of his audit a form of Account strictly drawn out to agree with the entries inserted in the Estimates passed by the House and follow the Expenditure out in vouchers to be carefully scrutinized by the Auditor General. Unless that were done, the objectionable imputation, so offensively designated by the phrase, which he (Sir George Balfour) did not use towards the Civil outlay of cooking Accounts, could not be avoided; and he thought he had shown that an amalgamation of items, as now done in the Civil Service Appropriation Account, was entirely opposite to a proper system of accountancy. He therefore submitted that there was not an independent Audit at present of the Civil Charges, and so long as the Auditor General was hampered with the rules and regulations for taking the audit laid down by the Treasury, so long would the Auditor General be unable to make any audit but such as would deceive the public with regard to the Civil Expenditure.

Sir ALEXANDER GORDON said, that, when the Auditor General complained of not getting proper documents and explanations, his objections did not apply only to the case of the Indian matters referred to by the hon. Baronet the Secretary to the Treasury. In many cases the Auditor General made the same complaint, and in some of those there must have been no difficulty in at once furnishing the information required.

Sir GEORGE BOWYER remarked, that the Audit Office had no power to compel the production of documents.

Vote *agreed to.*

(6.) £4,935, to complete the sum for the Friendly Societies Registry.

Sir ANDREW LUSK observed, that the Friendly Societies' Act was a very important measure. Before the Vote was passed, he should like to know very much whether the Act had worked well, as he trusted it had?

Sir HENRY SELWIN-IBBETSON could assure the hon. Baronet that, with the exception of a slight defect, which it was proposed to amend, the Act had been found satisfactory.

Mr. O'DONNELL wished for some information on one point. It had come to his knowledge that societies could not be registered if their name imported any national distinction. He knew one instance of a society temporarily established in London for the especial purpose of forming a club for Irish working men. There was a good deal of prejudice very often between English and Irish working men, and it was of great importance to be able to give a start to Irish working men, which could only be done by a recognition of their national character as Irishmen. He had been informed that the formation of such a society was not countenanced by the existing law. He was told that there was an objection on the part of the Registrar to register an Irish working-men's club, although there was none if it were simply a working-men's club. That, he was informed, was a stretch of power on the part of the Registrar; and he should be happy to think that that was the case, for a great deal of good might be done by the establishment of such clubs in England. If the object proposed could not be effected, there was no hope for the establishment of such institutions; but he should like to hear from the Government whether that was the case or not?

Sir HENRY SELWIN-IBBETSON promised to make inquiries on the point mentioned by the hon. Member. He was aware that English societies were not allowed to take some distinctive titles. For instance, they would not be allowed to take such names as the Royal Society, or anything of that kind; but he would make inquiries as to the point suggested by the hon. Member, and inform him upon Report as to the possibility of forming a club retaining a national distinction.

Vote *agreed to.*

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £317,123, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."

MR. C. BECKETT-DENISON wished to ask the President of the Local Government Board a question with regard to the sum of £3,000 charged for public vaccinators. He should like to ask whether he could give the House any information as to the working of the vaccination system during the past year, and whether the opposition was increasing, and also what prosecutions had been undertaken at the instance of the Local Government Board for infringement of the Acts?

MR. SCLATER-BOOTH said, that the working of the Act generally had been satisfactory. Taking into account the number of births throughout the Kingdom, they had been vaccinated within 5 per cent. Perhaps the worst vaccinated district was the Metropolis, and that was, no doubt, on account of its enormous population. But the Report on vaccination mentioned that the attention of the authorities had been drawn to the subject, and that a better state of things might be anticipated. The next Report with further details as to vaccination would be presented at an early date; and he anticipated that his hon. Friend would find that a much more satisfactory account would be rendered than heretofore. He might say that no prosecutions were instituted by the Local Government Board; but that the Boards of Guardians, acting as the vaccination authority, had the right and the duty to institute prosecutions. Sometimes these had had to be instituted; but, on the whole, the working of the Act was satisfactory to those intrusted with its superintendence and execution. He did not think the opposition to vaccination was on the increase, although there were still some persons who would probably never cease to rebel against the operation of the Act. But, taking into account that the population were vaccinated within 5 per cent of the total number of births throughout the Kingdom, he thought that the progress of the Act was eminently satisfactory. Nor was he of opinion that the opposition fomented by the anti-vaccinators was on the increase, or that their efforts were really seriously interfering with the operation of the Act.

MR. WHITWELL said, that the right hon. Gentleman was mistaken in supposing that those who opposed vaccination were decreasing in number. In his opinion they were on the increase. In the public mind he believed there was a strong prejudice against vaccination. There was no doubt whatever that many individuals looked on vaccination as an undue interference with the private right of judgment, and they naturally felt inclined to rebel against it. No doubt, many mis-statements were circulated as to the effect of vaccination; but there were some facts upon which there could be no doubt. In some cases it could not be denied that serious illnesses had followed vaccination, and sometimes diseases, which had, at any rate, looked very suspiciously as if they had been caused by vaccination, had ensued. It was in connection with the necessity for proper lymph being procured that he wished to ask whether the Report would contain any further information than they had at present? He did not hesitate to say that he was conversant with some cases of vaccination where he entertained no doubt whatever, and the medical evidence led to the conclusion that disease had been imparted to children through impure lymph. He wished to know whether the system of procuring lymph was exactly the same, or whether any alteration had been made in it. Further, he should like to be informed how much was brought from abroad, or whether any was brought from abroad, and what were the general instructions? He should be glad to know whether the Report would contain any information upon these points?

MR. SCLATER-BOOTH observed that, in his judgment, the cases of opposition to vaccination were, comparatively speaking, few and far between. The next Report of the Local Government Board would, no doubt, contain a great deal of information upon the subject of vaccination; and he would take care that some reference should take place as to the mode in which the lymph was collected. There would also be in the Report itself some statement, he had no doubt, of experiments which had been made with a view of satisfying the public mind that the vaccine matter was pure. There were numerous cases in which disease appeared to have been engendered by means of vaccination; from time to time complaints of that sort were made; and he was bound to say, since he entered upon the Office he now held, such complaints had always undergone most searching investigation. He had personally taken care to inform himself upon these points, and if the Report made on any case was against the person who had performed the vaccination, he had been removed. Many vaccinating officers had been removed on this account. On the other hand, as contrasted with the number of vaccinations that took place, the cases of disease occurring were few and far between. The cases that did occur were, for the most part, cases of erysipelas. When cases of that sort did occur, they were found, for the most part, to be cases in which skin disease would be developed by any operation whatever, by reason of the strumous habit or careless treatment of the infants affected; but sometimes inquiries had to be made whether the matter was of a proper quality or not. He might say that every means was taken to insure the lymph being of the proper quality. Many thousand tubes were constantly being supplied to headquarters from the different vaccinators. The lymph in them was subjected to the most strict microscopical examination, and everything not coming up to the test was unceremoniously excluded. For the most part, the lymph came from the persons vaccinated. Vaccinators were thus under orders to send stores of vaccine matter to headquarters, where it underwent the most careful microscopical examination, and was afterwards distributed as demand was made for it. In some cases it was sent to the Colonies, sometimes abroad, and sometimes to Ireland. He could not say that there was any absolute need for procuring matter from abroad. It was the opinion of many gentlemen in the Department that animal vaccine was of a less satisfactory character than that from the human subject. Still the question had been raised, and the decision was not yet come to upon it. He could only say, with respect to the remarks of the hon. Gentleman, that any cases occurring from time to time in which mischief was caused by vaccination were cases in which vaccination had taken place at a time when the subject was not in the state of health in which he ought to have been vaccinated. That was the result of his experience. Every pains was taken to render the operation of the Act as easy as possible, and to render it as little an encroachment upon individual liberty as might be.

Mr. GOURLEY condemned the system of centralization which had the Local Government Board for its head. Something like £400,000 was spent in connection with the management of the Local Government Board. Of that sum £60,000 was spent upon the Central Office, and a considerable amount of the work done by the Local Government Board might well be relegated to the local authorities. To take one instance, he found that £20,000 was charged for auditing the accounts of Boards of Guardians. What were the duties of auditors in connection with Boards of Guardians? The Boards of Guardians at the present time were unable to spend a single shilling in the way of outdoor relief without having that small amount audited by the Local Government Board, and the receipts from the Provinces sent to London for audit at the Central Office. He did not think that the new system was so much better than the old, and his impression was that the number of auditors—38—in connection with the Department was much too great, and that the accounts, instead of having to be sent up to London for the purpose of audit, should be audited by local auditors upon the spot. He had no doubt that the statement would be made that they could not trust local auditors, and in all probability it would also be said that they would make mistakes which the officers of the Central Office would be entirely free from. He held a different opinion; and he thought that they would find most efficient and able auditors connected with the Boards of Guardians in the Provinces. For these reasons, he thought the right hon. Gentleman should review the system of auditing the accounts connected with Provincial Poor Law Boards. He should like to ask a question with reference to the large staff in the Office of the President of the Local Government Board. Were his letters copied by hand or by machinery? Were they copied by clerks, or did the Central Office use letter-copying machines? There was another point to which he should like to call attention, and that was the system of making local inquiries. If half-a-dozen people objected to something, either the purchase of a piece of ground, or an expenditure on account of a free library, they made application to the Local Government Board, and persons were sent down from the Central Office to make what was called a local inquiry. The Central Board and local authorities were thus very often, at the instance of half-a-dozen factious ratepayers, or even non-ratepayers, put to unnecessary trouble and expense, and with no other object in view than opposing what the majority of the Town Council or other Local Board wished. He moved to reduce the Vote by £2,000.

Motion made, and Question proposed,

"That a sum, not exceeding £315,123, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."—(*Mr. Gourley.*)

MR. M'LAREN wished to take objection to the item of £17,000 for auditing the Poor Law Accounts. There was no such allowance in Scotland for the audit of Poor Law Accounts, and there had never been any audit but that under the Local Boards themselves. There had been no Government interference in any shape. The Home Secretary and the Lord Advocate had just introduced a Bill to provide for the appointment of Poor Law Auditors in Scotland; but the new Bill proposed that Scotland should pay for its own auditing by means of stamps to be affixed by the auditors to each account. Why should Scotland pay its share of the £17,000 for auditing the Accounts of England, and yet pay the whole of its own Account? It came to this—that they would pay 20*s*. in the pound for auditing Scotch Accounts and 2*s*. 6*d*. in the pound for auditing English Accounts, so that in that way they paid 22*s*. 6*d*. in the pound, that England might pay in the proportion of 17*s*. 6*d*. Was this legal, or just, or equitable in any sense? Was it consistent with the Act of Union? It was known, from the Parliamentary Returns, that Scotland paid as nearly as possible one-seventh part of the whole National Revenue. As compared with England, then, why did Scotland not have the benefits of one-seventh part of all such allowances as were made for such purposes as the one under discussion? It might be said that the Revenue was not so good a test as that of population. Take that test, the population of Scotland was as nearly as possible one-seventh of the population of England. Therefore, taking either the taxation or the population, Scotland was entitled to one-seventh part of all the grants which were made to England. It was rather too much, then, to ask Scottish Members to vote that £17,000 should be paid for the Audit of the Poor Law Accounts of England, and the next day to ask them to pass a Bill by which the people of Scotland should also pay the whole of the expenses of auditing their own Accounts. It seemed to him monstrous, and he should like some Member of the Government to tell them upon what principle such unjust treatment was defended. This was not the only case in which injustice was done to Scotland—there were many others, including £34,000 for Poor Law teachers in England and nothing for Scotland. He would only mention one other—that of medical allowances. Many years ago, it was fixed that £10,000 should be paid to Scotland as part payment of the salaries of the medical officers of the Poor Law Board in Scotland. A corresponding proportional sum, at that time, was granted to England. Gradually the allowance for England had advanced, new branches being added, and now the grant that the House was asked to vote had become £134,000 for the salaries of medical officers, £12,650 for what was called the medical department, £64,000 for what was called the medical officers of health and inspectors of nuisances. These three sums amounted together to £210,650. Yet all that Scotland obtained for these purposes was £10,200. He asked again, if Scotland paid one-seventh of the Revenue which England paid, and if its population was also one-seventh of the population of England, why should it get only £10,200, and England get £210.650, for the same items? Taking a homely simile, it was making Scotland the milch cow to bring in revenue to England, as the ancient Romans did with some of their conquered provinces. The thing was so monstrous that he felt inclined to think it must be a mistake of some Officer of the Government; and he believed it was to be attributed in a great degree to the present absurd system of being practically governed by a Lord Advocate in place of a Secretary of State for Scotland. He did not mean to say a word against the present occupant of the Office, or against anyone in particular; but when they allowed a lawyer only to represent Scotland in the House of Commons, and to carry on his legal practice in the House of Lords and elsewhere, how was it to be expected that he should be able to give the time, or to consider how much England or Scotland got for Poor Law, or sanitary, or other kindred matters? There was now no other Official to look after the interests of Scotland. In the present case, either Scotland ought to get one-seventh of the £210,000—namely, £30,000, or these grants should not be allowed at all.

THE CHAIRMAN: I must point out to the hon. Member for Edinburgh that it appears to me that this sum comes under Vote 23, and that would be the time when his remarks would be in Order.

MR. M'LAREN admitted that he should be out of Order were he now formally proposing to increase the Vote for Scotland; but he was simply questioning the lavish way in which it was proposed to vote money for English purposes, as compared with the economical way in which money was voted for Scotland. Had he been allowed to proceed, he should have moved that the Vote for the Auditors be disallowed altogether.

THE CHAIRMAN: The hon. Member would be in Order in proposing to reduce the Vote in respect to the salary of the Auditors after the Amendment before the Committee had been disposed of. What he wished to point out was that discussion with regard to any Vote was only in place when that Vote was reached in Committee.

MR. M'LAREN asked if the Vote for Medical Officers was not at present before the House?

THE CHAIRMAN: The hon. Member was in Order in discussing any item of the present Vote, but not in moving any further reduction of the Vote until the present Amendment was disposed of.

MR. RAMSAY said, the hon. Member for Edinburgh rather misapprehended the ruling of the Chair. He (Mr. Ramsay) thought that the intention of the hon. Member, in making reference to the item to which the Chairman particularly objected, was for the purpose of showing to the Committee reasons why objection should be taken to the various items embraced in the Vote. He understood it to be ruled that it was in Order to discuss any item in the Vote under consideration; and he thought the hon. Member had not done the subjects justice, because they had in that Vote not only the items to which he had specially referred, but other items which might be classed in the same category. There was an item of £34,800 which they were asked to vote for teachers in Poor Law schools; in fact, there were sums mentioned in this Estimate, without going into details, amounting to £272,500, granted for the relief of the ratepayers in England, while no corresponding amount for the same purposes was granted to Scotland. He (Mr. Ramsay) could not conceive that this distinction could be justified. It was the Government, and not the hon. Baronet (Sir Henry Selwin-Ibbetson), who were blameable, and it was against the Government that the present complaint was made. He had had the honour of appearing before the Chancellor of the Exchequer upon the subject of these distinctions between England and Scotland a few years ago, and at that time a distinct promise was given that some redress should be granted for the grievance; but nothing had been heard of the matter since that time. Last week, he (Mr. Ramsay) referred to the way in which the grants from the Public Treasury were made to tell against Scotland. There was not one item in these Estimates in which Scotland was treated on an equal footing with England; and, indeed, in many cases the ratepayers of England were relieved without any reference to the mode in which the same cases were dealt with in Scotland. He complained that the Scotch people were not treated as an integral part of the population of the United Kingdom, but rather as a conquered Dependency, to be ruled over and taxed as England pleased without any reference to its poverty. He believed the common impression to be a correct one, that the people of England were richer than the Scotch people, and there ought, in his opinion, to be a difference made between the rich and the poor, and in favour of the latter; but, so far from that being the case, the Scotch people had to pay the whole items of the Poor Law Auditors and the Medical Department, the latter amounting to £30,000, after striking out the Auxiliary Scientific Investigation, from which the whole country might be supposed to benefit. Then there were the grants in aid for the teachers in the Poor Law Schools, £34,800; Poor Law Medical Officers, £134,000; other Medical Officers, £64,000; and Legislation, £9,700; which sums, collectively, amounted to £272,500, and that without taking into account what had been referred to by the hon. Member for Edinburgh (Mr. M'Laren). He (Mr. Ramsay) could not conceive it possible that the poor children in England should be educated at the expense of the State, while the poor children in Scotland were educated at the expense of the ratepayers. If there had been no other Motion before the Committee, he should have moved the reduction of the Vote by the sum of £272,500, that being the only course by which Scotch Members could protest against the system of carrying out a different treatment for England than was applied to Scotland. He trusted his hon. Friend would take those items into consideration, and move a still larger reduction than that contemplated.

MR. WHITWELL hoped the hon. Member for Sunderland (Mr. Gourley) would withdraw his Motion. The hon. Gentleman had possibly not noticed the reduction which had taken place on the previous Estimates of £1,000. This was a satisfactory reduction, and he hoped that the appreciation shown by the Committee would encourage the Department to further exertions in the direction of economy. The hon. Member had proposed to take the item of Public Auditor out of the Accounts. He (Mr. Whitwell) would have been very sorry if that were done, as the Public Auditor was a great improvement on the local auditor; and he was confident that a great many improper expenses had been struck out by that officer which would otherwise have become established charges on the public purse. He should, therefore, not be able to vote for the Amendment. Last year, power had been taken to call upon the Public Auditor to audit the Highway Accounts; but nothing appeared to have been added for that expense. He hoped that the Auditor would be paid for out of the rates of the localities by whom he was called in, and would be glad to know if that was the case.

MR. SCLATER-BOOTH said, that was not the case.

SIR ANDREW LUSK could not agree that the Scotch should pay so largely for the auditing of the English Accounts as they did at present.

MR. SCLATER-BOOTH thought the hon. Member for Sunderland (Mr. Gourley) had moved his Amendment under a misapprenhension and in some confusion when he complained of the action of the Central Office. The hon. Member had stated that accounts were sent up to London to be audited; but nothing of that kind took place, as the Auditors were placed in different districts, and went their circuits twice a-year, auditing the various accounts as required by law. He thought that no one would advocate the appointment of these officers being taken out of the hands of a responsible Ministry, and relegated to those who made the appointments formerly. It was the case that the whole audit expenses were charged upon local authorities; but it had been the practice during the last 40 years to place in the Votes sums of money in aid of the local rates. During the last few years, sanitary expenditure, education, and Highway Accounts had all been placed under the Government Auditor, who had his districts assigned to him. He was surprised that the hon. Member (Mr. Whitwell), who was so conversant with the Forms of Business in the House, should not be aware of the fact that Parliament had recently passed into law a District Auditors' Bill. The whole charges for these Auditors would be defrayed by the local authorities, in accordance with the amount audited under each separate head. And that fact would afford an answer to the inquiry of the hon. Member for Kendal (Mr. Whitwell). But the £17,000 was a subvention which, since the time of Sir Robert Peel, had been charged in the Votes in aid of the Audit of Poor Law Accounts, and it was the intention of the Government to retain, though not materially to increase, that amount. The whole charges would in future be upon the rates of the different districts whose accounts were audited. The Audit Establishment had grown considerably, and cost the large sum of £40,000 a-year, one-half of which would be provided by the State, and the other would be paid for by the rates, under the heads of highway, sanitary improvements, and Poor Law Accounts. It was the same in Scotland as in England—the whole of the charges came upon the rates; but it had been the practice for the sum in question to be placed as a subvention in the Estimates. Had there been a Poor Law Amendment Act for Scotland the same payments in aid would have been made for Scotland. He remembered perfectly well the interview which took place between the Scotch Members and the Chancellor of the Exchequer with himself, which resulted in a sort of bargain that a similar sum to that voted in the case of England should be provided for Scotland, for the purpose of paying a number of expenses which now came upon the ratepayers, as soon as they passed an Act making requirements on the local rates similar to those required in England by the Poor Law Amendment Act. Hon. Members were aware that there was a Bill in progress making that arrangement. The Poor Law Amendment Act placed upon the Unions and parishes of England many charges in respect of which it had always been felt that some compensation should be made out of the Votes of Parliament. He hoped that the hon. Member had noticed that the whole of the system with respect to the auditing of Accounts had been made with the approval of the House. The hon. Member had also asked whether the work of copying letters was performed by hand or by machine? The work of copying was not done by machine, but by writers; and he (Mr. Sclater-Booth) was not aware that any useful purpose or convenience would be gained by the former method of copying. The same remark which had been made with regard to the Auditors were applicable to the allowances in aid of workhouse schools. The children educated in the pauper schools in England were in the same position as the children in other schools. They received no direct subvention at the hands of the Government; and the Local Government Board stood, with relation to them, in the same way as the Education Department did with relation to other children in elementary schools. An immense number of children were educated in the manner referred to, and the institution, as far as it went, was a most beneficial one. He thought the hon. Member for Sunderland had really made out no case for his proposed reduction.

Mr. RAMSAY thanked the right hon. Gentleman for the explanation which he had given on the subject; but thought he had not considered the grounds of the objection taken by the Scotch Members, especially in reference to the education of pauper children. The right hon. Gentleman had referred to the fact that the Chancellor of the Exchequer had coupled his promise to the Scotch Members, in regard to the equal treatment of the two countries, with the condition that a Bill should first be introduced by the Government to amend the Poor Law; but that was four years ago, and no Bill containing any provision for a medical grant had been introduced.

Mr. SCLATER-BOOTH said, these subventions were not made by Act of Parliament.

Mr. RAMSAY said, it made no difference to his objection, as far as the workhouse children were concerned, whether the grant was made by Act of Parliament or voted by the House. He complained that the system was in his opinion, unjust, as far as Scotland was concerned. By a Bill before the House, there was a provision that no child above five years of age should be kept in the workhouse, but that he should be boarded out; and the English Local Boards received something from the Department in respect of passing the child on. Of course, he had no desire to see that assistance withheld from the pauper children in England; but he objected that they should have a class of children maintained in pauper schools separated from all their fellows. The right hon. Gentleman had not explained the ground of difference made between Scotland and England. In the payment of officials performing like services in England and Scotland, distinctions were made much in favour of those in the former country. There was a Registrar for Scotland—no doubt, a person well qualified, or he would not have received the appointment—whose services were rewarded with a salary of £400 a-year, while the Assistant Registrar in England was paid £900 a-year. Such distinctions were wholly indefensible. If the Scotch Members were to obstruct the progress of Business, they would be doing nothing more than was justified by the facts of the case. He knew no difference in the cost of living in England and the cost of living in Scotland which would justify distinctions made in the remuneration of officers in these countries. He should certainly support the Motion of the hon. Member for Edinburgh (Mr. M'Laren) if he moved it.

Mr. GOURLEY said, that, so far as his experience went, all expenditure made by the Board of Guardians, even to the amount of 1*s*., must be submitted to the Central Office. At all events, the account must go to the Central Office, and then be submitted to the Auditors. But after the discussion which had taken place, and in deference to the wishes which had been expressed, he was willing not to press his Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. M'LAREN was glad to see the right hon. Gentleman the Home Secretary in his place, as he had a word or two to say bearing on his Poor Law Bill. Now that the Amendment had been withdrawn, he would take the hint that had been given, and not propose anything about Scotland, but only about England. He should move an Amendment in reference to the Medical Vote. The Medical Vote for England amounted to £210,000, and the Medical Vote for Scotland to £10,000. Now, as England only contributed seven times the amount of Revenue which Scotland did to the Imperial Exchequer, it should get no more than seven times what Scotland got. As Scotland got £10,000, England ought, therefore, to get £70,000; and he would move to reduce the Estimate by £140,000, in order that England might be as economically managed in reference to its medical arrangements as Scotland was; and that Scotland, besides paying for nearly the whole of its own medical relief, might not have to contribute 2*s*. 6*d*. in the pound towards that of England. He was glad that the right hon. Gentleman opposite (Mr. Sclater-Booth) remembered the conversation and the promises which passed four years ago at the meeting of the Scotch Members with the Chancellor of the Exchequer on the subject of equalizing matters between the two countries. He had taken the opportunity, on Friday last, of privately reminding the Chancellor of the Exchequer of those circumstances, and he would on Tuesday put a Question as to whether the promises now made to Scotch Members were now to be fulfilled. The explanation of the President of the Local Government Board with respect to the Auditors had not removed the grievance complained of. It had been admitted by the right hon. Gentleman that the £17,000 a-year was to be continued, notwithstanding that stamps might be imposed for additional branches of audited Accounts. He (Mr. M'Laren) contended that whereas there existed a standing obligation for the relief of the English ratepayers with regard to the sum in question, a similar provision ought to exist for the relief of the Scotch ratepayers. And that principle should apply to all the three branches for which grants in aid were asked. He moved that the Vote be reduced by the sum of £140,000, in order that England and Scotland should be placed on an equal footing.

Motion made, and Question proposed,

"That a sum, not exceeding £177,123, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."—(*Mr. M'Laren.*)

Sir HENRY SELWIN-IBBETSON said, he might be permitted, perhaps, to say something on this question, although the discussion had wandered, in a great measure, to another Vote. He understood the hon. Member for Edinburgh (Mr. M'Laren) to move a reduction of this Vote on the ground that Scotland did not receive an amount proportionate to that received by England. The question, ought, however, he thought, to be decided by the consideration whether the Vote was necessary for the work done in England, leaving till they came to the Vote for Scotland the consideration whether the sum then to be proposed was sufficient for the work to be done. He would ask the Committee to believe that every item mentioned in the Vote was required for work to be performed. He quite endorsed the promise made by the Chancellor of the Exchequer on a former occasion, that when similar conditions were imposed on the medical relief in Scotland similar payments should be made by the Treasury. He hoped that ere long this would take place, and that Scotland would be put in a similar position with England. He was prepared to pledge the Office he represented to this—that when similar conditions existed similar payments would be made. He would ask the Committee to inquire, in dealing with this proposal, whether this money was not absolutely required for the work of the country; and if they found that it was necessary, then that they should not accede to the proposal to reduce it.

Mr. BRISTOWE said, there was a charge in the Estimate under letter R of £2,000 for "Auxiliary Scientific Investigation," concerning the causes and processes of disease. He should like a little more explanation of that item.

Sir ALEXANDER GORDON said, the Members for Scotland did not dispute the statement of the Financial Secretary to the Treasury (Sir Henry Selwin-Ibbetson) that all this money was wanted for England; but the point they did make was, that Scotland did not get her fair proportion of this grant according to what she paid to the Revenue. They were not able to discuss this point on the Scotch Vote, because they had no power to propose an increase of the Vote. Reference had been made to the Poor Law Bill; but he did not understand that the amount to be allotted to Scotland was fixed by the Bill. On the contrary, it rested with the Government to put down what they pleased. This question had been pressed on the attention of Parliament and the country for several years; and it was because nothing had been done, and as a protest against against the unfair way in which Scotland was treated, that he should vote with his hon. Friend if he went to a Division.

Mr. SCLATER-BOOTH, in reply to the hon. and learned Member for Newark (Mr. Bristowe) said, at any rate, that the sum of £2,000 could not be said to be expended on investigations the results of which were restricted to the inhabitants of one portion of the United Kingdom. The results arrived at were, in fact, for the benefit of all mankind. This Vote for many years was administered by the Privy Council, and at their discretion it was for several years spent on inquiries into the origin of disease—namely, chemical and microscopical. That Vote was challenged in Committee several years ago, and as a result it was transferred to the Department under his (Mr. Sclater-Booth's) charge. Every year suggestions were made to him as to the subject-matter on which the sum should be spent. Those investigations resulted in some very interesting, if abstruse, Blue Books, which would be found in the Library. He might add that some portion of the money would be devoted during the next year to experiments with the view of getting vaccination made more perfect.

General Sir GEORGE BALFOUR hoped the hon. Member for Edinburgh (Mr. M'Laren) would not proceed with his Amendment, as it might place the House in a position of some confusion. No doubt the charge for medical officers for England was one which was required in the interests of the country. At the same time, he (Sir George Balfour) thought there could be no doubt that Scotland was unfairly treated in not granting a proportionate allowance, and there was no other means of challenging the injustice except by moving, as his hon. Friend had done, a reduction of the Vote to England. He was surprised that the right hon. Gentleman the Home Secretary for Scotland should sit in his place and say nothing on this question; for although he was an Englishman, they did expect him to do justice to the country which he represented as Secretary of State as much as he did in respect to England and Wales. As it was, they were left to the mercy of a Cabinet composed entirely of Englishmen. The Postmaster General did reside for a part of the year among them, and so becoming in that manner acquainted with their wishes and ways, it followed that in all matters affecting the Post Office they were well treated. But he was the only Member of the

Cabinet who understood Scotland. How could they, then, expect to get justice for Scotland. They could not move to raise the Scotch Vote to £30,000, which was what they thought they ought to get, and, therefore, they could only express their indignation by declaring that if Scotland could not have its fair proportion England should not get its present grant.

MR. ASSHETON CROSS said, though he had not taken part in the debate, he had been listening to it. He could only say that the Bill now before the House, which had been prepared by the Lord Advocate, compelled every parish in Scotland to appoint medical officers; and if that Bill passed, the Treasury had undertaken to increase the grant, so as to place Scotland and England on an equality. He could not say more than that; but he thought he had said all on the subject that the hon. Members from Scotland could wish. He could assure them he was most anxious that Scotland should be treated in every respect and in every way as England was treated.

MR. RAMSAY said, the present law enforced the appointment of a medical officer in every parish in Scotland. They were promised this additional grant some four years ago, and they ought to have it. Unfortunately, the Government invariably made the passage of some such Bill the consideration of their promise, and framed their measures in such terms that, for his part, he would rather not have the money if the passage of some of the clauses in the Bill were the price. They had every confidence that the right hon. Gentleman the Home Secretary (Mr. Assheton Cross) would act rightly if he understood the subject; but he, unfortunately, was not so intimately acquainted with the wants of the people of Scotland as he was with those of England. Demonstrative evidence could be produced that Scotland was in all respects unfairly treated in respect to the grants from the Imperial Treasury. As, however, a Division would take some time and would do no good, he should advise his hon. Friend (Mr. M'Laren) not to press his Motion. If the Ministry did not succeed in passing the Bill to which the Home Secretary had alluded—and they might not be able to do so in its present form—he yet hoped that they would agree to have the claims of Scotland fairly treated, or, on the other hand, let the claims of England be modified, so as to have the amount given for any public service placed upon the same scale as existed in Scotland. He was at one time in favour of these grants in aid of local rates; but he had now come to the conclusion that they had sold their birthright for a very unsatisfactory mess of pottage.

MR. HOPWOOD thought it was a very natural inquiry of the hon. and learned Member for Newark (Mr. Bristowe). What was done with the money spent on these "Auxiliary Scientific Investigations," and what results came from it? No doubt the results, if any, were published in the departmental Blue Books; but still he could not help regarding the Vote as objectionable, and recording his protest whenever it was offered. He thought the system created an unfair bias in the public mind in favour of any doctor who might be employed by the Department to the disadvantage of his struggling brethren. It was a practice which many would condemn on principle, and, therefore, he thought they ought to get a little more information about the way in which the money was spent without having to go to the Blue Books in the Library for it. It might show, for instance, to whom the money was paid, and for what. Then, again, the Vote, under item S, included the sum for the National Vaccine Establishment. What was it? Did it consist merely of the Inspector, the vaccinator, and the second vaccinator mentioned in the Vote, or was it a place where vaccine was secured or stored, and could be obtained. The feeling on this question of compulsory vaccination was growing daily, and was not confined to the persons who were sneered at in that House as ignorant and foolish, but many men were inquiring into this question, and scrutinizing the results of vaccination with scientific eyes. Opinions now differed very considerably. One man would say that he could tell the quality of the lymph by examining the arm; while another would deny that he could tell anything of the kind. Another, again, would tell them to get the history of the child from whom the lymph was obtained. But what was history? Often a mere mass of information to a great extent incorrect, by which they might be deluded. Yet, nothwithstanding these varying theories, they forced a number of people at the bayonet's point to do what they believed to be most disadvantageous to their children. The right hon. Gentleman must bear in mind several things which had been said of late on this question. Mr. Hutchinson, perhaps the greatest authority on this subject, admitted that he had known a number of cases of syphilis and indurated chancre result from vaccination, and he was also reported to have a doubt whether the present system could be maintained. The Government might well set Dr. Seaton and the rest of the Medical Staff to inquire whether, under these circumstances, the present system of compulsory vaccination could be maintained. Was the right hon. Gentleman aware, also, that Sir Thomas Watson had declared, in his article in *The Nineteenth Century*, that as these diseases could be communicated and derived from one set of babes to another, from the time of Jenner down to the present day, he would applaud the father who suffered fine and imprisonment rather than subject his child to these ghastly risks. He held the Department mainly responsible for this state of things. No doubt, the right hon. Gentleman's own liberal feelings had been expressed to the Boards of Guardians, in directions to them not to press these fines to the extent that some of them wished to do; but still, as a Member of a strong Government, he had the power to amend the law if he chose. He could tell the Government that they were endangering the success of vaccination by insisting on this compulsory law, which was as unfair and unjust as anything could be, in the face of such strong testimony from the highest medical authorities that there was no certainty against the transmission of most deadly and loathsome diseases. That being so, he felt it his duty to protest in a reasonable manner against this law whenever the subject came before the House. He did not express any opinion on the subject himself; but he maintained that the House had no right to shut its ears to the expression of well-founded fears, and to force the people to do that which could not be proved to be perfectly safe and advantageous.

Sir ANDREW LUSK said, that he did not want to go into this question of vaccination; for when people would not listen to the teaching of science, he did not know what to do with them. Science, after all, was knowledge only; and to those who did not believe in ascertained facts or knowledge it was difficult to find an answer. For himself, he had very great faith in science. He rose, however, to ask the right hon. Gentleman a question on another subject. He was told the other evening by a scientific gentleman that the water at the West End of London was full of disease, and everything that was evil, that sewage could not be removed by filtration, and yet that the sewage of 120,000 people was poured into the Thames above the intake of the Water Companies. He hoped the right hon. Gentleman would tell them what they were to do. He, no doubt, sympathized with his Scotch Friends; but, after all, London was more important than all Scotland put together. There could be no question but that many diseases were generated by this impure water; and, therefore, he hoped the right hon. Gentleman at the head of the Local Government Board would direct his attention to this matter, involving as it did most seriously the health of the Metropolis. They did not want to be left entirely in the hands of a commercial company. He therefore hoped the Government, as a paternal Government, would help them in this matter.

Colonel ALEXANDER said, that while he hoped the hon. Member for Edinburgh (Mr. M'Laren) would not press his Amendment to a Division, he very much sympathized with his hon. Friend in what he had said respecting the medical grant for Scotland. As he understood the Home Secretary, the right hon. Gentleman said that if they passed a Poor-Law Bill he would do what?—he would give them that which was their own, and that which ought to be their own. Some Scotch Members might be against that Bill, while others might be in favour of it; but they were united in declaring that this grant ought not to be made conditional upon the passing of the measure in question. The miserable pittance of £10,000—for that was all that it could be called—which Scotland received at present, ought to be increased at once without any further question.

Mr. M'LAREN said, that, after the appeal which had been made to him by several hon. Members who in the main supported his views, that he should withdraw his Amendment, relying on the promises of the Government, he would not divide the Committee. At the same time, they must have this money, whether the Poor Law Bill passed or not. It was simply a matter of justice and of right, and a matter of right and of justice which they meant to insist upon. He said that all the more particularly, because the Bill contained some very exceptional clauses—clauses of such a nature that they would rather not have the money than have it with those clauses of the Bill tacked on to the grant.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. SCLATER-BOOTH, in answer to the hon. and learned Member for Stockport (Mr. Hopwood) said, he could only repeat what he had often said before, that the most extreme care was taken to keep the lymph pure, and that when it was sent out it would be in the most satisfactory condition. He must say also, so far as his experience went, that the people who agitated this question did not care much about lymph of this or that kind. They objected, he believed, to the whole system, on the *quasi*-religious ground that it was an interference between them and their children. The present Parliament had expressed an emphatic refusal to free those persons who had this *quasi*-religious objection to vaccination from penalties for non-compliance. The Reports of scientific investigations as to the question were published from year to year, and though not adapted for general circulation, were highly appreciated by the Medical Profession. As far as the Government was concerned, there was no favouritism in the choice of the gentlemen who were appointed to make the investigations. The particular subjects intrusted to them were often of such a character that a year was not sufficient for the completion of the inquiry, and, in such cases, the appointments were renewed or continued from time to time. An important question had been raised in the course of the discussion as to the water supply of London in connection with the health of the Metropolis. While he fully admitted the importance of the question, he must, as President of the Local Government Board, disclaim any responsibility as far as the health of London was concerned. The General Public Health Acts did not apply to the Metropolis, which was under the control, as far as this was concerned, of the Vestry and Local Boards under a different Act, with which the Local Government Board had nothing to do. The local authorities in London were extremely jealous of any Government interference—so jealous, indeed, that when he proposed to put together the local enactments referring to public health, all the Members of the House representing Metropolitan constituencies were entreated by those whom they represented to obstruct the proposal. He was not aware whether the hon. Baronet the Member for Finsbury (Sir Andrew Lusk) was so entreated, or whether he took such a course; but it was indubitable that, in consequence of the pressure brought to bear, the proposal was not passed into law. As far, however, as the Metropolitan Water Companies were concerned, the only control which any Public Department had over them was that of the Local Government Board, by which Body, under the General Water Act, two officers were appointed, one as Auditor and Accountant, and the other as Water Examiner, whose duty it was to make periodical Reports as to their particular departments. There could be no doubt that the water supplied to consumers in London was more or less unsatisfactory; but he could not help thinking that the opinions on the subject which were frequently expressed were, to some extent, exaggerated. Taking it as a whole, London was not badly supplied with water, and he thought the stories about polluted water which were sometimes told were due not so much to the quality of the water as to the filthy state of the cisterns fixed to the houses. Still, he admitted that the supply was not what it ought to be, and when complaints were made to him he brought pressure to bear upon the Companies concerned, and required them, as far as he could under the Statutes, to improve their reservoirs, and the general quality of their supplies; and that had been done by removing the "intake" from below Teddington Lock, where some of it was actually drawn a few years ago, to the Thames above the influx of the Mole at Hampton Court, thus doing away with the supplying of tidal water to London householders. The Thames Conservancy had also taken steps to purify the water supply by preventing the sewage of towns on the river, such as Windsor, Oxford, Eton, and Reading, being poured into the Thames. It must be said that the state of the Thames water was far less unsatisfactory now than it was 10 or 15 years ago. Prosecutions were being constantly instituted by the gradual but persistent efforts of the Thames Conservancy Commissioners, who were doing all in their power to improve the water of the river. On the whole, he thought the condition of London, as far as its water supply was concerned, was, by comparison, not so bad as many important towns in the country.

Mr. HOPWOOD, while acknowledging the conciliatory manner in which the right hon. Gentleman had replied to the questions put to him, could not admit that he was right in saying that the opposition to vaccination came solely from persons who were actuated by a *quasi*-religious feeling. There could be no doubt that poisonous matter had been not unfrequently infused into the veins of children by means of vaccine lymph; and he had heard from friends of his, who were magistrates, that children who had been vaccinated were sometimes produced before them in such a state as to inspire feelings of horror. The objection to vaccination was not solely held by persons who based their views on *quasi*-religious grounds, but was shared by men eminent in surgical science. If a practice, which was nominally established for the good of the public, was found to be based upon a sham, the sooner it was put an end to the better; at any rate, there could be no reasonable ground for objection to inquiry. Medical science had in times past been disfigured by such monstrous practices as attempting to bring people back to health by administering to them decoctions made from dead men's skulls and many other absurd nostrums, amongst others innoculation; and, therefore, no one could pretend that simply because certain medical men held vaccination to be necessary, it was, therefore, a proper practice to be universally adopted. If the Government of a country chose to say that vaccination must be compulsory and universal, it ought also to provide and guarantee pure lymph; and that, he thought, was altogether impossible, judging from facts which were well authenticated. It was perfectly well known that, in several countries where vaccination had been rendered compulsory, there had been frightful epidemics of small-pox, so that there was much to be said on the opposite side of the question to those who held that vaccination was potent to save a people from small-pox.

Sir UGHTRED KAY-SHUTTLEWORTH said, he should not attempt to follow the hon. and learned Member for Stockport (Mr. Hopwood) in the observations he had made with reference to vaccination; but there were one or two remarks which he wished to make on the subject of the London water supply, which had been raised by the hon. Baronet the Member for Finsbury (Sir Andrew Lusk), and in reference to which the right hon. Gentleman the President of the Local Government Board had said that the Department over which he presided was not responsible for the water supply as a question of health. The fact was that the control of the water supply of London being a question of health rather than of trade, this control was, on that very ground, removed from the Board of Trade to the Local Government Board by a clause which he (Sir Ughtred Kay-Shuttleworth) was successful in inserting into the Public Health Bill of the right hon. Gentleman the Member for Halifax (Mr. Stansfeld). In the Act of 1832, penalties were inflicted for imperfect filtration; but, as far as he (Sir Ughtred Kay-Shuttleworth) knew, those penalties had not been imposed upon the Water Companies in a single instance. When he saw such Reports on the subject as had recently been made to the Local Government Board by their analyst, he thought the right hon. Gentleman had a good opportunity for enforcing those penalties. There could be no doubt that the water supply had been improved by taking the supply above the tidal waters; but it was equally clear that there was still very great need for improvement. He could not help thinking that a water supply for a City like London ought not to be taken from a river; and he hoped that the time would speedily arrive when the supply would be drawn, as in the case of Glasgow and Manchester, from pure sources, instead of from streams.

MR. O'DONNELL said, he intended to occupy the attention of the House for a very short time indeed on the present occasion, while he stated the objections which he entertained to the Poor Law system of the country. That system was designed to meet the enormous mass of pauperism existing therein. Wherever they went, or whatever authority they consulted, they found that British pauperism was recognized as one of the disgraces of modern civilization. A million of paupers in a country with a population of 35,000,000, supported at the public expense from year to year; families divided; children brought up in workhouse schools with the instincts of pauperism and the seeds of vice and crime—a plentiful nursery for habitual criminals. That was what pauperism was. But the question was, what was to be done with the poor of the country? On the present occasion he would say no more than that, before continuing from year to year this system, which involved as one of its essential conditions the permanent degradation of an enormous mass of their fellow-subjects, Parliament was bound to consider how far the pauperism of the country was traceable to remediable and strictly removable causes. He would take some more suitable opportunity than the present for stating his views. But he held that until Parliament improved the conditions of public life in this country—until it afforded facilities to the population for gaining an honest and a secure livelihood in the country and in the town—unquestionably, pauperism would continue to be the disgrace of their society. But they could unquestionably diminish the amount of pauperism which existed. There was no such plague as British pauperism existing in France, or in any country in which the mass of the population were allowed to acquire an interest in the national soil. If the population were divided from the soil, unquestionably the workhouse was the especial alternative. Few voices would be raised under present circumstances; but the House, before long, would have to face the question. It did not become the civilization of this country, the progress of the century, that so obsolete and so degrading a system as Poor Law relief should continue, when they could diminish the mass of pauperism within limits that could be easily dealt with. They could diminish that mass of pauperism when they had reformed the Land Laws, which converted generations of the people of England, Ireland, and Scotland into paupers and inheritors of the workhouse. The Land Question in Ireland, England, and Scotland was the question of the future; and when that question was settled in conformity with the national welfare and the dictates of political economy, there would be less necessity for a pauper system. He did not intend to proceed to any Division on the subject; but he objected to any expenses for the Poor Law Department, because he was convinced that nine-tenths of the burdens thrown upon the shoulders of the ratepayers could be considered only as so much paid by this country for the luxury of supporting an anti-national and anti-economic, and a most unjust and unproductive, system through the nation.

Original Question put, and *agreed to.*

(8.) £12,364, to complete the sum for the Lunacy Commission, England, *agreed to.*

(9). Motion made, and Question proposed,

"That a sum, not exceeding £53,065, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."

MR. WHITWELL asked, referring to the loss of £1,000 on gold coinage, whether the charges would not be reduced by reason of the fact that the cost of silver had decreased? It appeared that we coined ingots for the Colonies without charge. If we did coin for them, they ought to pay for it. There was a sum of £2,500 for wear and tear of machinery for next year. Why was so large a sum wanted? He was under the impression that something was gained in making shillings, florins, and half-crowns, owing to improved machinery.

MR. C. S. PARKER said, he should like to have some information with regard to the item of £3,000 for the supply of silver and bronze coins to the Colonies. He observed there was no such charge last year. He thought they should know what Colonies it was that were supplied, and whether the coin was for the use of the Government or of the public?

Mr. DILLWYN referred to the item of £3,000 for the coinage of the silver and bronze coin to the Colonies. He wished to know who paid for that, and whether, if it was paid by the Government, the money was repaid in any other form?

The CHANCELLOR of the EXCHEQUER said, the question with regard to the supply of silver and bronze to the Colonies was one which, he thought, was reconsidered in former years; and the principle on which the question was dealt with was laid down. A very large quantity of silver and bronze coin was coined in this country for the use of the Colonies, and the Imperial Government got the advantage of the Seigniorage on the coinage. Having that advantage, they ought to bear the cost of making the coin. This was the principle which had always been hitherto acted upon.

Mr. WHITWELL said, that it was strange the amount should be greater this year than last, though silver appeared to be lower than it was then.

Sir ANDREW LUSK wished to say a word with regard to the new Mint. He wished to know how it stood with regard to this question? The site of the present was a most inconvenient one. There was a large piece of ground which might be utilized for a very different purpose. He did not know how far it was desirable that they should get sovereigns from Australia; but the time would come when they would have to tax sovereigns when they came from that country. If everything that they sent to Australia was taxed, they would have to return the compliment. In Australia they did not seem to understand that brethren should dwell in unity. We ought to get a new Mint in the best position possible. The present Mint was most inconvenient and antiquated.

Mr. MUNTZ did not think that they were then in a position to discuss a new Mint. The question before them was concerning charges for the ensuing year. The loss on silver was one which they had always had in the Estimates. Unfortunately, they had not the Report of the Master of the Mint before them; but he hoped that would not be forgotten, as it would explain that the profit more than equalled the loss. There ought to be a large profit on the work of the Mint. The charge of £3,000 on the coin sent to the Colonies seemed a large amount, when they considered what was the value of the coin. He should like to have some explanation of this £3,000.

Sir JOSEPH M'KENNA said, it would be convenient for the Committee to have some return of the Seigniorage received in respect to those transactions with reference to which these various charges and costs had arisen. It was an unfortunate thing that they had only one side of the account—and that the debtor one—shown to the Committee; for, notwithstanding that the freight and insurance of the coin sent to the Colonies were borne by this country, he believed the Seigniorage would cover them, and leave a profit.

Mr. RYLANDS said, before the hon. Gentleman the Secretary to the Treasury replied to the observations which had been made, he wished to say it was rather inconvenient that the Committee should be called upon to discuss that item in the Estimates without their having in their hands the Report from the Deputy Master of the Mint. His hon. Friend (Mr. Muntz) had alluded to the fact that they were not in possession of that record of the transactions of the past year; and he (Mr. Rylands) remembered in the last Parliament there were complaints that the Committee were called upon to vote the Estimate for the Mint when they were not in possession of this information. He did not hesitate to say what he had said before—that he thought the business transactions of the Mint required careful investigation; and his hon. Friend (Mr. Muntz), who was an authority on the subject, would agree with him that, as a business, it was not so profitable to the State as it might be made. In point of fact, they ought to make larger sums out of the Mint than they did. As he had said, they ought to approach that discussion with full information, and be able, by looking back on the transactions of the past year, to see how those transactions were carried on, and whether to the benefit of the State or not. He would call the attention of the Committee to this fact. In the year ending

March 31st, 1874, the Estimate for the Mint was £52,550, and the Estimate for last year, including the Supplementary Vote, was £81,035—that was an increase in expenditure, as between 1873-4, and 1878-9, of £28,485. Well, that year they had the amount £63,665, a decrease of £17,350; but still an increase of £11,000 on the Estimate of 1874. Now, he was not at all satisfied that the increase in the charges of the Mint was justified by the circumstances of the past. He found, in the Account they had before them, there was a loss on worn silver withdrawn from circulation of £55,000 last year, and he dared say that might have been for the national benefit; and he knew that an extraordinary amount of silver was withdrawn; but he could not understand how, with the very low price of silver, the extra receipts for 1879-80 should be £60,000, as compared with £100,000 for the year 1878-9. Perhaps the Secretary to the Treasury would direct his attention to that point, and tell them how he accounted for the fact that, having the advantage of a low price of silver, the actual sum should be reduced by £40,000. He did hope that in future, before the Committee was called upon to vote the sum for the Mint, they would have before them the Report from the Deputy Master of the Mint, for with full information only could they approach the discussion of the Estimate with advantage.

Mr. E. JENKINS expressed a hope that the hon. Gentleman, before he replied finally, would be able to give the Committee some particulars of this Vote of £3,000. What were the arrangements under which this silver and bronze coin was coined? Which were the Colonies with reference to which it was proposed to take this Vote? It must be observed that it was not a Vote for the past, it was a Vote for the year to come. What was the amount of Seigniorage charged to the Colonies? He should like to know whether it was likely that the Colonies could get their coinage done more cheaply at home or not?

Sir HENRY SELWIN-IBBETSON regretted that the Committee had not been put in possession of the Report of the Master of the Mint before discussing the Estimate; but he would make a note of the point in regard to the future. With reference to the remarks of certain hon. Members as to the loss on silver, he pointed out that it arose from this particular item. Last year there was an enormous amount of coin withdrawn from circulation; and the result of that was they had to ask for a Supplementary Estimate of £30,000, as shown in the Estimates last year. £55,000 altogether was withdrawn; therefore, it was thought advisable to prepare the Estimates with an eye to contingencies, although they did not expect so large a withdrawal this year, consequently they had only taken £10,000 on that account. The extra receipts were put down below their amount last year, because it was always the aim of the Treasury not to over-estimate the extra receipts. It was thought that the depression of trade would result in a smaller circulation of money and in less Seigniorage. The Estimate was, therefore, a low one. He could not give the exact amount of the Seigniorage; but the larger proportion of those extra receipts were derived from that source. It had been thought to be unfair towards the Colonies not to give them the small amount of package and freightage, seeing that they had to pay the Seigniorage. Up to the present year the Colonies had always paid those charges as well as the Seigniorage. The item of £3,000 for freightage and package now appeared in the Estimates for the first time. With regard to the progress made in changing the site of the Mint, the Treasury had been in continued communication for the purpose of acquiring a new site for that establishment; and he could only say that if the hon. Baronet the Member for Finsbury (Sir Andrew Lusk) would use his influence to advance the negotiations now going on with that object, they would probably see the desired change sooner than it otherwise would be.

Mr. DILLWYN asked a question as to the Parting Establishment—for separating gold from silver?

Mr. WHITWELL expressed his regret that they had not the Report referred to before them. It seemed to him that the payment for the carriage of coin involved an entirely new thing. There could be no doubt but that there was a want of silver coinage. Half-crowns were difficult to obtain. He should have thought when silver was so cheap the Government would not have left the country with a deficiency of supply.

Sir HENRY SELWIN-IBBETSON said, he had already explained that the Estimate had been prepared with an eye to the experience of last year. It had been reduced, and he hoped it would meet the approval of the Committee.

General Sir GEORGE BALFOUR said, it was melancholy the Committee had not been supplied with the necessary information early, so that the time of the Committee might have been saved. If the Government, in the explanatory Memorandum circulated by the Treasury on the Civil Service Estimates, had given full information with regard to these items which were in dispute on the Mint charge, they could have got through their Business far more satisfactorily than was the case now; and, in the present instance, the Vote would have been passed in a very few minutes, if it had been explained. It was impossible for the Secretary to the Treasury to keep himself acquainted with all details on items open to challenge; but if each Department was made responsible for making notes for Parliament, clearing up all mysterious entries, then Members, being satisfied, would necessarily accept the items. After all the explanations, he was, even now, utterly at a loss what this Seigniorage was. He could not see why these things should be concealed.

Sir JOSEPH M'KENNA said, there was one point upon which he desired to set himself right with the Committee. He had no objection to hon. Members turning their attention as closely as possible to the amount that was charged for freight and package in connection with silver, copper, or other coinage, for the Colonies; but he wished to point out to the Committee that it would be a positive injustice to the Colonies to charge them a Seigniorage, and, at the same time, to charge them for the transmission of the coin. If that were done, it would most likely give rise to a demand on the part of the Colonies for a local Mint.

Mr. CHAMBERLAIN remarked, that the explanation which had been given of this new Vote by the hon. Gentleman the Secretary to the Treasury was not altogether satisfactory to him. It was quite true that it was an explanation which had already appeared in the Paper that had been circulated among hon. Members, and it was to the effect that the Seigniorage upon the coinage left a very large profit to the Exchequer—too large a profit, apparently—and, therefore, the Treasury had consented to give up what would otherwise be an extremely fair and legitimate charge for the package and transmission of the coin, and a charge which any manufacturer would make in the ordinary course of business. If the Colonies came to the Mint at Birmingham, and coin was transmitted to them from there, they would have to pay the package, and also the profit of the manufacturer; and if the Government undertook the manufacture, he did not see why they should not have a profit too. There was another point. He was a little doubtful whether the Seigniorage really left the Exchequer with any considerable net profit. He supposed that the Seigniorage represented the difference between the money value of the coins and their nominal value; but then from that, surely, had to be deducted all the expenses of manufacture, which, in the present Estimate, appeared to be something like £60,000 or £80,000. In fact, to put the matter shortly, if there were anything in the argument of the hon. Gentleman the Secretary to the Treasury, they should consider the whole question of profit upon the coinage; and his argument would justify them in letting the Colonies have the coins at their cost, or nominal price. But he could not conceive why the Government should suddenly abandon what, as he had said, would appear at first sight to be an extremely legitimate charge—namely, the charge for package; and he should like to know from the hon. Gentleman, whether this reduction had been made in deference to some urgent request on the part of the Colonies; or, whether, at a time like the present, when he should have thought the Government would have been anxious to husband every penny, they had of their own accord made the Colonies a present of £3,000? He did not observe that the Colonies were in any hurry to make this country any present; and, therefore, he did not see why, for the first time in its history, it should make this present to the Colonies, unless, indeed, very serious objection on their part had been taken to this charge. Unless some satisfactory explanation was given, he hoped that his hon. Friend the Member for Swansea (Mr. Dillwyn) would persevere in his intention to move an Amendment, and he should certainly vote with him.

Mr. BARING pointed out that even deducting this charge the Birmingham manufacturers were able to supply the Colonies with coin at a cheaper rate than the Government. He thought that the hon. Member for Birmingham (Mr. Chamberlain) might not, perhaps, be aware that the profit from their home coinage arose from silver when coined being worth a good deal more than it was as mere metal. If their Colonies would take the money from them, instead of taking it from Birmingham, as some foreign countries did, it was quite worth the while of the Government to pay the package, and get the profit, rather than allow the manufacture to fall into private hands, or to let the Colonies be their own coiners.

Mr. CHAMBERLAIN said, he was aware that his constituents could make coin much cheaper than Her Majesty's Government; and, in fact, they had supplied a good deal of the copper coinage to the Government as well as to many foreign countries. But if he understood the argument of the hon. Member opposite (Mr. Baring) to be that this proposal of the Government should be supported because it was really an attempt on the part of the Treasury to undersell Birmingham, he must be excused if he did not see the force of that suggestion.

Mr. BARING said, he had been misunderstood. What he said was, that he thought the Government had better undertake the coinage while they could get it, and pay this expense, rather than give it up altogether.

Mr. RYLANDS said, he was quite sure that even the hon. Member for South Essex (Mr. Baring), whose business experience probably exceeded that of most men in that House, would not dispute the figures which he was about to put before the Committee. He found that the total amount of the Estimate this year was £63,655, with an addition in respect of certain non-effective charges of £4,563, making a total on the debit side of the account of £68,218. The hon. Gentleman the Secretary to the Treasury had told them what, in fact, was put down on the Paper which he held in his hand—namely, that the estimated extra receipts were £60,000. Consequently, that was the credit side of the account; and if the hon. Member for South Essex, with his great commercial experience and knowledge, could satisfy him that if he paid £68,000 and got in return £60,000 he was doing a profitable business, then he was a much cleverer commercial man than he (Mr. Rylands) had ever taken him to be. The fact was that this was a very partial account. He could tell the hon. Gentleman that if on the debit side he would put the capital employed in the Mint, and all the money which had been spent on that building and that machinery, and would then charge the account with a moderate interest upon the capital employed in the business, he would find that, so far from there being a profit, there was a loss of many thousands. And he could tell the hon. Gentleman, further, that if he were to carry on his business as the Government conducted theirs, even his great concern, with its enormous capital, would be soon in the Bankruptcy Court. The hon. Gentleman the Secretary to the Treasury had not given the Committee a satisfactory explanation. He had not told them what was the amount of coinage that was coined for the Colonies, what was estimated to be the profit of the Seigniorage upon that coinage; and he had not told them what pressure had been put upon the Government to induce them to give up this charge to the advantage of the Colonies. It appeared to him that they were now coining for the Colonies without any profit at all. At all events, let the Committee be informed how much silver was sent out to the Colonies, how much copper, and how much gold; what were the profits; and how much the balance would be after the package and freight had been paid for? It seemed to be altogether a very unsatisfactory account. They had, no doubt, an advantage at the present moment owing to the low price of silver; but silver might go up again, and if they once adopted the system of paying freight and package, that system would continue when probably they would be supplying silver coin with a very much lower Seigniorage than that at present received. He objected to the Government placing a new charge upon this Vote.

Mr. CHAMBERLAIN begged to move, as an Amendment, that the Vote be reduced by the sum of £3,000.

Motion made, and Question put,

"That a sum, not exceeding £50,065, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Mint, including Expenses of the Coinage."—(*Mr. Chamberlain.*)

The Committee *divided:* Ayes 65; Noes 111: Majority 46.—(Div. List, No. 70.)

Original Question put, and *agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £13,892, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the National Debt Office."

Mr. E. JENKINS said, he wished to ask a question with regard to the fact that no Vote was taken for the salary of Mr. Rivers Wilson as Comptroller General. The Chancellor of the Exchequer had stated that afternoon that that gentleman had been dismissed from the service of the Khedive; and some weeks ago, when questioned on this subject, the right hon. Gentleman stated that Her Majesty's Government had relieved Mr. Rivers Wilson of his Office for a couple of years, to lend him to the Egyptian Government; and that it was a matter which did not involve the Government in any responsibility whatever. He (Mr. E. Jenkins) knew that that statement was received with some surprise in the country, for it must certainly be regarded as a very extraordinary, one might say an anomalous thing, that the Comptroller General, who was supposed to be an official of some consequence in this country, should be relieved from his services for a period of two years, that he should enter into the service of a foreign State, and that, in the meantime, his Office should be held open in this country, and, as they saw that day, actually no Vote whatever taken for another Comptroller General. What was the logical consequence of that position? As far as he could see, the logical consequence was that the Comptroller General was not necessary. If they could get along with the Assistant Comptroller for two years, he fancied they could get on with that official for ever. Perhaps it was not from that side of the House that one ought really to take objection that nothing was put down for Mr. Rivers Wilson's salary; but he rose, not with a needless inquisitiveness, he hoped, to ask whether, although Mr. Rivers Wilson's salary was not put down in the Vote, under the circumstances which had since arisen, Her Majesty's Government would propose to take a Vote by Supplementary Estimate, or otherwise, for his services when he returned, as apparently he would return, to this country?

The CHANCELLOR of the EXCHEQUER replied that, undoubtedly, when Mr. Rivers Wilson returned to this country and resumed his position as Comptroller General, the acting allowances to the Assistant Comptroller and the Chief Clerk would cease, and Mr. Rivers Wilson would be entitled to his salary. It would, therefore, be necessary, if not otherwise provided by a Vote of the House, to submit a Supplementary Estimate for that purpose. There was no question about that. The arrangement was one which, as the House was well aware, was of a peculiar and exceptional character. It would not now be convenient to go into all the questions to which it gave rise; but it had been explained that it would be the subject of discussion on a future occasion when the matter was brought forward. But the position certainly was that the Government had made no provision for Mr. Rivers Wilson's salary. They had considered, in view of the arrangement that had been made, that with the present Assistant Comptroller and Chief Clerk, who were particularly competent persons to undertake the duties of the Office, it was possible to go on without inconvenience for a time, in Mr. Rivers Wilson's absence.

Sir JULIAN GOLDSMID said, there was another reason, which the Chancellor of the Exchequer had not mentioned, why, apart from other matters, there was not much objection to giving Mr. Rivers Wilson this leave of absence, and that was that arrangements had been made by the Government not to reduce the National Debt during his absence; and, therefore, it did not signify very much whether the principal Comptroller was absent or not. But there was one point which he thought ought to be considered in connection with this matter. He had urged it before, and he ventured to urge it again; and that was that it was a bad example which the Government was setting of giving to high officials, who had important duties to perform at home, a long leave of absence, in order that they might serve other Governments of a less creditable description than their own. That was a principle against which he ventured to protest at the time that Captain Tyler was lent to a private Company for the purpose of a speculative inquiry into an American railway; and he repeated his protest on a subsequent occasion when that same official was allowed to proceed to America on a similar mission. He thought that that principle, which he knew the Chancellor of the Exchequer himself objected to, had certainly not answered well in the case of Mr. Rivers Wilson; and why he had risen was to express a hope that, the Government having had two unsatisfactory trials of the principle, would now for the future abandon it, and would not again allow important officers of this country to go abroad to attend to duties which did not properly belong to them, and thus to neglect the work which fell to their share at home. He did trust that this principle would not be again acted upon by the Government, and that the case of Mr. Rivers Wilson would be the last precedent of the kind. That gentleman had not gained much by it, and he (Sir Julian Goldsmid) was sure that the country and the Government had gained still less.

MR. MORGAN LLOYD observed, that he found that the maximum salary of an Assistant Comptroller was put down in the Vote as £1,000, while in the next column there was a sum of £1,500 which the Committee was asked to vote for the Assistant Comptroller. It was true that the £500 was spoken of as "acting allowances;" but he should like to know under what authority a salary was increased beyond its maximum amount? It was all very well to speak of acting allowances; but every officer was supposed to discharge his duty, and whenever a maximum salary was fixed, it was supposed to be a salary which was to be paid to him for devoting his whole time and attention during business hours to the duties of his Office. Was the £500 given to the Comptroller General for extra work, or was it simply an addition given to him for doing what he was already bound to do—namely, to devote the whole of his time within reasonable hours to the business of his Office? It did seem to him that it was a dangerous precedent. If by giving £1,500 to an Assistant Comptroller they could get all the work done satisfactorily, then it was quite clear that they could dispense with the services of a Comptroller altogether, and save the public purse to the extent of his salary. This arrangement was supposed to go on for two years. He thought the matter was one which required some explanation, and if no better reason could be given than that the Khedive wanted the assistance of a gentleman who held a high position in this country, and who, therefore, went to Egypt, not simply on account of his ability or business habits, but as representing the English Government, he certainly thought that it was time that the Committee should protest against this Vote, by proposing to reduce the salary of the Assistant Comptroller. He begged to move the reduction of the Vote by the sum of £700.

Motion made, and Question proposed,

"That a sum, not exceeding £13,192, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the National Debt Office."—(*Mr. Morgan Lloyd.*)

SIR WALTER B. BARTTELOT said, he saw very great force in the arguments which had been brought forward on this question. The Committee would remember that when a question of a similar character was brought before a Committee some time ago, a very strong opinion was expressed that men who were employed in Government Offices, and who received pay in this country, should not be allowed to go and serve foreign countries. This was a very peculiar case, and he would venture to say that the general public out-of-doors had not the slightest notion in the world that Mr. Rivers Wilson was continued as a Comptroller General, and to be named in the Estimates here, when he was the Finance Minister of Egypt. It was one of those questions which he ventured to think never ought to be entertained by any Government, he did not care to which side they belonged; and he thought this was a point upon which the Committee ought to say distinctly that it was a case of that kind which should not occur again. Mr. Rivers Wilson, he had no doubt, was a most excellent official, and being an excellent official, and having taken his choice whether he would serve England or Egypt, he chose to serve Egypt; and, therefore, he (Sir Walter B. Barttelot) thought, he ought not to have been retained as an official of this country. He might be wrong in his opinion; but he ventured to believe that the general opinion of the country went with what he had now said; and he ventured to hope that the Chancellor of the Exchequer would believe that the country did not like its officials to be lent, or allowed to go out and receive large salaries in another country, while they were retained upon the Official Register, if he might so call it, as officials of this country. He had little more to say; but he hoped the right hon. Gentleman would consider the matter very seriously, because he believed the country totally disapproved of their officials being so employed.

Mr. BARRAN agreed that the case was a most objectionable one, inasmuch as they had not only allowed Mr. Rivers Wilson to take a lucrative position under the Khedive, but they had taxed the country for the privileges which he enjoyed. He thought if the country understood that they were not only retaining Mr. Rivers Wilson in this position, but, at the same time, paying for his work—[*Cries of* "No! "]—well, they were not paying Mr. Rivers Wilson, but they were paying those who were doing his work; therefore, they were paying to have the work done which he would do if he were at home. He thought the Chancellor of the Exchequer would see that a course of that kind was exceedingly objectionable, and that if they allowed Mr. Rivers Wilson to serve the Khedive, they certainly ought not to be put to any expense in discharging the obligations which rested upon the Office he held.

Sir JULIAN GOLDSMID observed, that he should not like the case which he had submitted to the Committee to rest upon an improperly slight foundation. The hon. Member who last spoke (Mr. Barran) had evidently not carefully studied the Estimates. Mr. Rivers Wilson's salary of £1,500 was not paid during his absence, and, instead of that, during his absence an allowance was made to two other gentlemen amounting to £700. Therefore, so far as having the work done was concerned, they now paid £800 less than when Mr. Rivers Wilson was at home; and the Chancellor of the Exchequer might retort upon the hon. Gentleman, and say that the country gained by lending Mr. Rivers Wilson to the Khedive of Egypt. However, they did not want that sort of gain. It was a petty economy, to which they objected; and he was very much obliged to the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) for having the courage—which was rare now-a-days—to get up behind the Government, and to support an objection such as he (Sir Julian Goldsmid) had raised. He thought if more hon. Members followed that hon. and gallant Member's independent example it would be of great advantage to this country.

Major NOLAN thought it was not much use to be disputing how much they lost by the work in Mr. River Wilson's Department, because he thought there was very little work done in the National Debt Office at all at any time.

Mr. THOMSON HANKEY said, it appeared to him that when Mr. Rivers Wilson accepted his post in Egypt, he ought to have been told by the Home Government that he would necessarily lose his appointment at home. That, he thought, would not at all have been an unfair thing. Mr. Rivers Wilson, he (Mr. Hankey) understood, was receiving £5,000 a-year from the Khedive, and, therefore, he could very well afford to pay for doing the work which now cost £700. With the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot), he entirely objected to the principle of allowing Government officials to take situations away from the country; but, at any rate, it ought to be arranged that Mr. Rivers Wilson should make some allowance, which he could very well afford. If it went to a Division, he certainly would vote for the reduction, and he was not terrified by the threat of the Chancellor of the Exchequer that he would have to bring it forward as a second Supplementary Vote. If he did so, they would take their chance and vote according to their consciences; but, at the same time, it was rather a threat on the part of the Chancellor of the Exchequer, as he understood it.

The CHANCELLOR of the EXCHEQUER said, he made no threat at all. He was asked what would happen if Mr. Rivers Wilson returned to this country and no salary was voted to him; and he said, if no salary was voted, of course it would then be necessary to propose a second Supplementary Vote.

Mr. THOMSON HANKEY said, then he was wrong in supposing that the Chancellor of the Exchequer said he would bring forward this Vote again if it were now refused by the House. He begged pardon; but he certainly understood that was the case. However, whether that was so or not, he did not think the House ought to sanction an expenditure of this kind when there were means by which it might have been covered.

Mr. DILLWYN said it appeared to him that work must have been done, and the country seemed to have saved money by the absence of Mr. Rivers Wilson. The gentlemen who received the £700, no doubt, had extra work to do, and he did not think the Committee ought to grudge them extra pay for it; at the same time, he thought it would be a very wise thing for the Government to consider the subject of the whole establishment at this Office, because, as far as he could see, they were not very likely to reduce the National Debt in a hurry under the present *régime*, and there was not likely to be an increase of work in the Office; and if the Government had found out that the work could be done with a little less staff and more pay, he did not grudge them their extra pay at all; but, under the circumstances, it would be well to consider that establishment altogether, with a view of seeing whether they could not make some reduction in it.

The CHANCELLOR of the EXCHEQUER said, he could not for a moment admit that the absence of Mr. Rivers Wilson had in any way increased the expenses of the Department. However, he was glad to see that the hon. Baronet the Member for Rochester (Sir Julian Goldsmid) was at least able to read the figures sufficiently to see that this was not an additional charge; but that, on the contrary, it was a question of a charge for the time being. Now, what really was the position in regard to these two officers was this. It was absolutely necessary that certain functions that had been discharged by the Comptroller should be discharged either by him or by the Assistant Comptroller; and the Assistant Comptroller had undertaken, for a moderate addition to his allowance, to do the work which fairly ought to have fallen on the two. This involved the necessity of his giving more time to the work and denying himself holidays which he would have been entitled to take, because there were many things to be done to which it was necessary to have his signature, or that of the Comptroller. A considerable portion of the additional work was also thrown upon the Chief Clerk, who was a gentleman who had been in the Office a very considerable time, and was a man of superior ability and attainments; and, in fact, if it had not been the case that both the Assistant Comptroller and the Chief Clerk were persons of capacity, this arrangement could not have been made without the public being inconvenienced. As it was, the public inconvenience had been saved by the inconvenience of these gentlemen. Then, with regard to the comparison which had been made between the employment of Mr. Rivers Wilson and Captain Tyler on a former occasion, he begged to point out this very great distinction. In the case of Captain Tyler, he remained on the English establishment, drawing the full pay of his office; and, for reasons of his own, he elected to take employment with a foreign Government. That was thought to be objectionable, and was discountenanced. On the present occasion, the Government—whether for reasons which were sufficient or not he need not now discuss, that might be discussed at a proper time—thought it was a desirable thing that Mr. Rivers Wilson should accept an offer which was made to him to go and take service in Egypt; and Mr. Wilson, forseeing the difficulties of the position which he was going to undertake, would not undertake it if he was thereby to sever himself altogether from his official life in England; and it was on account of those difficulties, and the necessity of allowing him to go there in an independent position, free to take any course which his conscience dictated, and independent of any circumstances that might ensue from his taking a bold and honest course in Egypt, that he was allowed to retain his position in the English Service, suspending, of course, the receipt of any salary until he could resume his duties. Of course, the whole question of the arrangement for Egypt was one which at the proper time might be fairly discussed; but granting that, he (the Chancellor of the Exchequer) could not think for one moment that the Committee would deny that the arrangement which was made was made with a fair view to economy, and efficient conduct of the Service. He could not think that the suggestion of the hon. Member for Peterborough (Mr. Thomson Hankey) was one that met with the approval of the Committee. What the Government did was to make a provision during Mr. Rivers Wilson's absence for the discharge of his duties. That had been made at the cost of a sacrifice on the part of those two gentlemen of a portion of their time, which sacrifice they willingly made, and it produced no inconvenience. Whatever else was done, he did earnestly trust the Committee would not think it was at all consistent with their duty to cut off this £700, which was given to those two gentlemen for work they had done, and assistance they had rendered in an emergency.

Mr. WHITWELL said, the £700 was a very small matter indeed. The great question was, whether a gentleman should be nominally continued at the head of a Government Department, although he received no pay. He was glad to hear the Chancellor of the Exchequer state that he considered this a very exceptional case. He hoped the right hon. Gentleman was going on to say that in a very few days or weeks Mr. Rivers Wilson would return to his Office, would be replaced in the very important position he so satisfactorily filled, and that they should forget that they had ever made a mistake. He entirely agreed with the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) that the whole thing had been a grievous error; and that if the Committee, by voting the money which they were now asked to vote, were to be supposed to be endorsing a system of sending a clever financier from their own official body to serve a foreign State, he thought they would make a very great error indeed. He hoped the right hon. Gentleman would give them still stronger assurances than they had yet had before this Vote was finally passed. He had said that if Mr. Rivers Wilson returned he then should come down to the House and ask for a Supplementary Vote. They quite admitted that was the only course the Government could adopt; but surely it was not a question of an "if." He had hoped the right hon. Gentleman would say the thing was *un fait accompli*, and that they should regard Mr. Rivers Wilson, although his pay was not on this Vote, as still attached to the National Debt Office.

Mr. MORGAN LLOYD said, his object in proposing the Amendment had been attained. It had been shown to be extremely irregular to lend an important officer to a foreign country, and to propose a grant to any officer of a larger salary than the maximum salary allowed to that officer; but having listened to the observations in reply which had been addressed to the Committee by the Chancellor of the Exchequer, and the explanations given by him, he now begged to withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £23,343, be granted to Her Majesty, to complete the sum necessary to defray the Charges which will come in course of payment during the year ending on the 31st day of March 1880, connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act."

Mr. CHAMBERLAIN said, he wished to ask for a little explanation in connection with an item which appeared in several Votes, and a question upon which could, he thought, be as conveniently raised here as anywhere else. He referred to the charge which was made for the attendance of police in the Public Offices. On the present occasion the amount was £540; and he found that was distributed in £380 to the Patent Office and £160 to the Patent Museum. Now, he could understand the employment of police in the Patent Museum, because they might be said to be required there to keep order in case a considerable crowd should attend the Museum—which he believed was never the case—

but he could not understand why the services of the Metropolitan Police should be called in to act as mere porters and messengers for Public Offices, and he could not help thinking this led to a confusion of duty which was not to the advantage of the police or of the Public Service. He should like to ask, at the same time, whether the police so employed in this and other Offices could be called upon to do ordinary police duties as well? In that case, the nation was paying a part for the services of the Metropolitan Police Force, to which, he thought, those who lived in the country had a right to object. He would call the attention of the Secretary to the Treasury to what appeared to be an arithmetical mistake. On page 120 there was a statement showing an estimate of the receipts and the expenditure of the Patent Office, and there the expenses of the police, &c., were set down at £900; but, on turning to another page, he found the police and incidental expenses set down at £1,040. The discrepancy was not one of a large amount; but it seemed to point to some inaccuracy in making up the statement.

THE CHAIRMAN inquired if the hon. Member for Birmingham proposed to move to reduce the Vote?

MR. CHAMBERLAIN replied that he did not; he only asked for an explanation.

SIR HENRY SELWIN-IBBETSON said, the only explanation he could give the hon. Gentleman was this—that he believed it was found in many of these Offices very advantageous to have the services of the police as custodians and protectors of the place. As to the inaccuracy which appeared to exist between the two items which the hon. Member had pointed out, he would look into it. It struck him also that there was an inaccuracy; but he had not noticed it before. If it was not an inaccuracy, he should be happy to explain it to the hon. Gentleman on the Report; but on the face of the Papers it appeared to be.

MR. CHAMBERLAIN inquired whether the Secretary to the Treasury would say whether the police were employed on any general police duties, beside that of being custodians and guardians of these Public Offices?

SIR HENRY SELWIN-IBBETSON, in reply, said, not when they were on duty at those Offices. Then they were not employed on the general street duty of police, any more than those were who were employed in the Houses of Parliament or the British Museum. Any police detained for this special duty were during that time employed only upon those duties.

MR. CHAMBERLAIN begged to point out to the hon. Gentleman that he did not answer his point. He took it that the whole expense of the police so paid was taken out of the Consolidated Fund. Then he asked whether any public duty was performed, and the hon. Gentleman answered that they did not do any public duty while they were doing a semi-private duty; but he (Mr. Chamberlain) asked, at any other time, did they, as a fact, perform public duties?

SIR HENRY SELWIN-IBBETSON replied, certainly. In the same way, anyone who asked for the service of a policeman and was willing to pay for the service, obtained it, and the policeman for the time belonged to the individual who paid him; but he did not cease to be under the discipline of the Force or to belong to the Force itself.

MR. CHAMBERLAIN said, he thought he had obtained the answer he wanted, and he should have to move to reduce the Vote by £540, because it raised a point of considerable importance. It was quite true that private firms or persons were allowed to engage the services of a policeman on paying for them; but that was only where those services were strictly necessary for the protection of life and property. It would be extremely convenient at all times, he dared say, for all private firms in the Metropolis to have policemen of good character and experience employed as porters, messengers, and watch-keepers on their premises; but in such general cases the employment of the police was never allowed. Now, in the case of Public Offices where really there was no special claim upon the services of the Metropolitan Police Force, these men were paid by the nation, and, at the same time, they were at the call of the head of the Metropolitan Police for service on special occasions in the Metropolis. In other words, the national taxation was paying in this case, as in many others, for what he might call the special local burdens of the Metropolis. They in the Provinces bore the burdens of the Metropolis to a much larger extent than was fair, and he was quite sure the time was coming when the attention of the House of Commons ought to be called to the various items where it occurred. It occurred more especially when they came to the management of the Woods and Forests and the Public Parks. They found the whole expense of these institutions, which were chiefly for the enjoyment of the inhabitants of the Metropolis, was thrown upon the National Funds, while, at the same time, in the Provinces the inhabitants had to make a similar provision at their own charge. He really thought the time had come for making some alteration in this system, and he moved the reduction of the Vote by £540.

Motion made, and Question proposed,

"That a sum, not exceeding £22,803, be granted to Her Majesty, to complete the sum necessary to defray the Charges which will come in course of payment during the year ending on the 31st day of March 1880, connected with the Patent Law Amendment Act, the Registration of Trade Marks Act, and the Registration of Designs Act."—(*Mr. Chamberlain.*)

Major NOLAN said, he wished to move a larger reduction by the sum of £3,000.

The CHAIRMAN said, the hon. and gallant Member would not be in Order in doing so on this Amendment; but he would be able to do it on the Vote.

Mr. E. JENKINS said, the other night he called attention to two items in the Account for Police—one, with reference to the employment of police in the House of Commons, and the other item of £10,446 was for the employment of the Metropolitan Police in the Public Parks. He thought the Committee would see that there was great force in the remarks which had been made by his hon. Friend the Member for Birmingham (Mr. Chamberlain). Undoubtedly the police who were paid by the country at large were being employed by the local Metropolitan institutions for purposes which were not strictly police purposes. They were employed in this House as messengers and for other purposes, for which they could procure messengers to do the work far more cheaply. If he was not misinformed, at 6 o'clock every night, there were turned into the House three sergeants and 16 policemen, in addition to those serving here during the day; and hon. Members might say what they liked, but it was not the business of policemen to do the duties that were performed by some of the police in this House. Now, with regard to these Accounts, he should like to ask the Secretary to the Treasury a question or two. If they looked at the Accounts of the Science and Art Department at South Kensington, they found there an enormous charge for police. The question he should have to ask by-and-bye was, how many of these policemen were employed off the premises at South Kensington? Were they occasionally employed at the Horticultural Gardens, although the State paid for their services in South Kensington? He also wanted to know how the charge was arrived at? The hon. Gentleman opposite stated that these policemen were supplied and paid in the ordinary way; but he did not explain under what arrangement it was that these sums were arrived at, and how many men were employed at each place. His (Mr. E. Jenkins') own impression was that when they went into the matter they would find a sort of hocus-pocus arrangement existing between South Kensington, the Science and Art Department, and the Patent Museum, under which the police were indiscriminately used for the whole place. He wanted to know whether the police, for whom £160 was charged, were used simply and solely for the Museum? Was there a special detachment applied for the purpose, or was a Vote taken in the gross, and assigned to the several Departments, with reference to the attendance of the police in each portion of the enormous pile of buildings called South Kensington?

Mr. GREGORY said, the hon. Member who had raised the question had treated it as though it were a case of drawing so many men from police purposes for the purpose of watching these institutions; but, on the contrary, he took it that it was a contribution to the police. These institutions were national, and the police thus employed and paid were, in fact, an addition to the police of the country, and they were not chargeable to the ratepayers at all. They were charged to the institutions for special purposes, and were part of the establishment; and while they were valuable to those institutions they also were available in cases of emergency for the general purposes of police, inasmuch as they might be called upon for the preservation of order, when their services were required.

Mr. RYLANDS remarked, that there was some danger of the real point at issue being lost sight of. What they complained of was that the ratepayers of the country generally had to pay for work for which the Metropolis had the entire advantage. The amount in dispute in this case was a very small one; but he was quite certain that the House of Commons would have to consider whether or not these Votes ought not to be altered in some way or another. Other great towns, like Manchester, Birmingham, and Liverpool, bore their own police charges, and he did not see why the Metropolis should not do the same. It was true the Metropolis paid for its police; but then the Government subsidized them with very large sums for doing work which properly belonged to the Metropolis.

Sir HENRY SELWIN-IBBETSON reminded the House that the system of employing constables to protect public and private buildings was not confined to the Metropolis, but extended to the country, where any individual or firm might apply for the services of a constable. A policeman who was thus told off for special duty was always retained in the Police Force, although the cost of his maintenance ceased to be borne by the particular locality from which he came. Many of the Offices which constables were appointed to protect in London partook of a national character, and the presence of policemen was necessary to insure the safety of their contents. He held that the system acted economically, as it would be difficult to obtain persons who were not members of the Force to do the work required at an equally cheap rate. Another advantage of the system was that by its adoption a reserve of constables was created which could render most valuable service in case of any disturbance. The Metropolitan Police not only protected these buildings; but they were engaged in other ways—such as protecting the Docks—which were advantageous.

Mr. HOPWOOD wished to point out to the Committee that the very instance which the hon. Gentleman (Sir Henry Selwin-Ibbetson) had given furnished the greatest objection to the Vote. There seemed to be some misconception of his hon. Friend's argument. It was not a question whether they could get this work done cheaper by other persons or not, but whether all the inhabitants of the country should be taxed to pay for men of whom one particular municipality enjoyed all the advantage. He very much objected to the employment of the Metropolitan Police in the Dockyards, for they interfered, in consequence, in a place where the local authority ought to be supreme. It was just one of those exceptional and objectionable features of the present system, which were the worst illustrations of the hon. Gentleman's argument.

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee also report Progress; to sit again upon *Wednesday.*

MOTION.

BANKING AND JOINT STOCK COMPANIES BILL.

LEAVE. FIRST READING.

The CHANCELLOR of the EXCHEQUER, in rising to move—

> "That the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Law with respect to the liability of members of Banking and other Joint Stock Companies; and for other purposes,"

said: I am anxious, on all accounts, Mr. Raikes, to save the time of the Committee, and therefore I shall not preface what I have to say with regard to the Bill I am about to ask leave to introduce by any lengthened discussion of the reasons which make the Government think its introduction necessary. It is perfectly within the knowledge of all who hear me what the circumstances have been which within the last few months have called the particular attention of the country to the position of our joint-stock banks. Those who hear me are aware that, in consequence of some failures that took place in the course of last autumn, very great uneasiness and alarm has been created among shareholders in unlimited joint-stock banks; and, although I do not think that a panic or a great excitement is a reason for legislation upon a question of this kind, it cannot be denied that the alarm which has been excited and the considerations which have been brought forward in consequence of that alarm have opened our eyes to some defects and inconveniences in the law which at present affects joint-stock companies, and especially joint-stock banks. What I would wish to call especial attention to is, the two great inconveniences which have been discovered in our system. They are these. In the first place, as hon. Gentlemen are aware, we have under the present law two, or rather three, systems of the formation of these companies. They may be unlimited in their liability, or they may be limited to the amount of the shares held by each individual shareholder, or they may, thirdly, consist of what is called limited liability with a guarantee. The third form is, I believe, but little used. Practically, therefore, there are but two forms used, and all companies are either unlimited, in which case every shareholder is liable to the whole extent of his means for the debts of the corporation, or the company is limited, and the liability is limited to the amount of the shares held by the individual. According to the provisions of the Joint Stock Companies Act of 1862, it has been optional for any company to register itself either as limited or as unlimited; and many joint-stock banks have availed themselves of one or the other of these alternatives. It was perfectly competent for any joint-stock bank to register itself in the first instance with certain precautions as a limited company; and many banks used that power which was supposed until recently to be a continuing one—that is to say, that a bank which had been originally registered as an unlimited corporation could at any time be re-registered afresh, under the other provision, as a limited concern. When, however, the attention of some of the banks was directed to this matter in consequence of the alarm created by the failures to which I have referred, they found, upon taking legal advice, that that was not in their power, and that it was not possible for a bank which had once elected to be registered as an unlimited company to become limited. In consequence, a great deal of uneasiness, and I do not think I am going too far in saying a great deal of alarm, was created among the shareholders of these companies at the idea that they had put themselves into a position which rendered it impossible for them to extricate themselves from the very serious consequences which they saw might flow from this condition of unlimited liability. We must bear in mind that this question of unlimited liability is one in which the public have a very considerable interest. Amongst many persons it is supposed that the unlimited liability of the shareholders of a bank is a very great security to the public, however inconvenient it may be to the shareholders themselves. But there are considerations on the other side which must not be lost sight of. We see that where a bank which is conducted upon the unlimited liability principle fails—if the failure is for a very large amount—it involves the shareholders, or, at all events, a large proportion of them, in nothing short of absolute ruin. The consequences are, in the first place, that, when any such event occurs, those of the shareholders who have the means to escape from their liability are tempted to take measures for realizing their property and withdrawing themselves from the liability to which they are justly subjected; and thus a loss is entailed either upon the creditors, or on the other shareholders, or on both. That is, of course, only in exceptional cases, which may occur on particular occasions, on the failure of any great institution. But beside that exceptional and occasional inconvenience, there is also the probability that we may find ourselves subjected to a still greater inconvenience, a larger and more permanent one, and that is, that persons of undoubted means will be shy of joining associations in which they may be exposed to such serious consequences. The result of this will be, that gentlemen of large means, who are just those whom the public would desire to see occupying positions as shareholders in great institutions, will be unwilling to put themselves in that position, and will withdraw; and so this unlimited liability will lead to the substitution as shareholders of a very inferior class of persons whose liability, although unlimited in name, will not be worth nearly so much to the public and the creditors of the concern as might be the limited liability of a superior class of persons. Therefore, we have before us the inconvenience, to which I have adverted, of the law being in such a state that a company cannot now change itself from being unlimited to limited; and, in the second place, we have the inconvenience that the law practically gives an alternative between two conditions and classes of companies only. You must either have companies in which the liability is absolutely unlimited, or you must have companies in which the liability is limited to the amount of the share or shares. While also there are inconveniences, which I have just noticed, in the tendency of the superior class of shareholders to withdraw from connection with unlimited concerns, so, too, when the liability is strictly limited to the amount of the shares, and they have been largely or entirely called up, there may be very little or no reserve left for the creditors to fall back upon, in the event of the failure of the bank and the loss of its capital. This suggests the idea that it may be desirable to find some intermediate condition between that of wholly limited liability and the other of wholly unlimited liability; and such an intermediate position appears to be suggested by that which is occupied by a good many of our Colonial banks. In many cases of the Charters granted to the Colonial banks, the liability is not limited to the amount of the shares, neither is it entirely unlimited; but it is limited to the amount of the shares and some multiple of the amount of each share in addition. For instance, where the shares are £100 a-piece, the liability of the holders may be, in the whole, £200 or £300 per share. It appears to be very desirable to adopt some provision which, at all events, would render it competent to a banking company to adopt that constitution. In two words, then, I may say that the object—the main object—of the Bill which I am about to ask leave to introduce is, to enable banking companies to re-register themselves either as limited companies under the existing law, or to re-register themselves on a footing similar to that which I have just been describing, as being the footing adopted in many cases by the Colonial banks. I am anxious to propose as little as possible in the way of Government interference with the management of institutions of this kind. There is a natural tendency on the part of many persons, when any great catastrophe happens, to call at once for Government interference and assistance. I am very shy indeed of making proposals in that direction. I do not propose that there shall be anything in the way of legislation which shall be of a compulsory character. We propose simply to remove an obstacle which has now been found to exist, and which at present prevents a bank from taking into further consideration the form and constitution which might suit it best.

I alluded just now to the various inconveniences which arise from the terror which unlimited liability has caused in the minds of certain classes; and I can hardly pass over this subject without saying one word upon a particular class of persons who have been very severe sufferers, I fear, from what has taken place, and from what now appears to be the state of the law. I allude to trustees. I suppose, with regard to them, there is but one feeling throughout the country, and that is one of sympathy with those who have found themselves in a position so serious as that in which many of these trustees appear to be. They are persons who, having undertaken a duty not at all remunerative, and not at all agreeable, but simply an irksome duty, for the benefit and convenience of their friends, have found themselves, quite unexpectedly in most cases, saddled with the most serious consequences. At the same time, such appears to be the law; and I fear it is quite impossible for us to propose anything, or to contemplate anything, which would in any way be a relief to these unfortunate persons. Of course, however, we have to consider what will be the state of matters for the future; and we cannot help seeing that the effect of the judgments which have been delivered, and of the misfortunes which have befallen trustees, will be to drive away trustees from making investments, or allowing trust funds to be invested, in banks of unlimited liability. Therefore, it seems that the only remedy which we can suggest is that of introducing and making easier the introduction of the limited liability principle, so as materially to diminish the effect of that great inconvenience.

Having now stated what is the principle of our Bill—to give facilities for re-registration—it becomes a question what the method of procedure should be. According to the present Act, it is necessary that notice should be given by any bank desiring to change its provisions and become a bank of limited liability, to each individual who is in any way in the position of a creditor or customer of the bank. That is a matter of serious magnitude. It is very difficult for a bank to find the means of making individual communications to every customer; and, moreover, individual communications of that sort are apt to cause unnecessary alarm and misunderstanding amongst those to whom they are addressed. Therefore, my proposal will be, that we should only require certain advertisements of a character which will give general publicity to the change which is about to be made in the position of the bank. I propose that these advertisements should be placed, for example, in the newspapers which circulate in the vicinity of the place in which the bank has its offices, and, of course, notices should be put up in the offices of the bank itself; and this we consider should be sufficient to admit of a bank in a certain time changing its position. I have spoken of the position as an intermediate one between limited and unlimited liability; and the question naturally arises, what title should be given to the banks which may take that position? There is a great deal of sensitiveness on that subject. It has been one of the great stumbling-blocks which the representatives of the banks have urged on the Government in the various representations which they have made to us. They have said not only is there a technical and legal difficulty in changing their position from an unlimited to a limited company, but they have a feeling of reluctance to making the change, and adopting the word "limited," because they fear it may lead to a good deal of misunderstanding, and may, perhaps, injure their credit. They are unwilling that any term should be adopted which should appear to be of a character which would shake public confidence in them. It is, however, rather difficult to know what sort of term we can adopt which shall at once express the real condition of the bank—that is to say, that the liability is, to a certain extent, limited, and, at the same time, not alarm the public generally by leading them to suppose that the bank is more limited than it really is. I propose that the term which should be used in describing banks of this intermediate class should be "reserve liability," and that a bank in such a position shall be spoken of as a "Reserve Liability Bank." I admit the phrase is an awkward one, and I am not so wedded to it as not to be prepared to change it, provided the ingenuity of the House can suggest a better term. I should have no scruple in making such a change, if it can be done. Of course, it will not do to call these banks limited, and it will not do to call them chartered, and the phrase which I have mentioned appears to be the only one available at present. There must, naturally, be certain notices and proper proceedings, like the meeting of shareholders, &c. But all these are matters of detail with which it is not necessary I should now trouble the Committee. But the necessary conditions being complied with, I propose that these banks shall have the power of assuming the position of reserve liability banks. Now, that is a proposal which, so far as the great body of the non-issuing banks is concerned, is very simple, and it is one which, I think, will meet the necessities of the case; but then we come to the question of the banks of issue, and here there are some considerations which it is necessary to bear in mind. I have laid it down more than once in this House—and the principle has been repeatedly adopted by preceding Governments—that there is a broad distinction between the business of banking, and the business of issue; and while I have said, on the one hand, that it is our duty as regards banking to put as few restrictions as possible, and leave it as much as possible alone, when you come to the question of issue different matters arise; and the State has a right, at all events, if not the duty imposed upon it, of regulating the issue. There is considerable difference detween the position of the man who voluntarily deposits his money in a bank, or otherwise enters into relations with it, and the man who takes from another a bank note which, practically speaking, he can hardly refuse, and which yet he may find is worth nothing if the bank should fail. It has been suggested that the present system of issues in this country is one of a temporary, and therefore not of a very satisfactory, character, and that the time must come when some change must be made in it; and, no doubt, there is a great deal to be said in favour of taking up the whole of this question, and in endeavouring to deal with it. But I am not ashamed to say I think that it is a question which it would not be desirable for us to attempt to grapple with at present. It would lead to a great deal of difficulty, and I feel that this measure, which is one of somewhat pressing importance, might be jeopardized if we were to weight it with an attempt to work on the principles on which I should like to deal with the whole question of issue. If we do not attempt to deal with this question on a broad basis, we must, at all events, take care in what we are doing that we do not put fresh and further difficulties in the way of dealing with it whenever it may be considered the proper time to do so. Now, what is the position at the present moment of issue banks which become banks of limited liability? I believe there are only a few such, some four or five, which are now banks of limited liability which have the privilege of issue. Hon. Members who are acquainted with the Joint Stock Companies' Act of 1862 will be aware that there is a clause in that Act, I think the 182nd, sometimes known by the name of Lord Overstone's Clause, which provides that, where a bank of issue becomes a limited liability bank, the limitation of liability shall not extend to its issue of notes. The clause is one which is rather complicated, and it is a little difficult to make out from it what the precise operation would be, in the event of such bank becoming insolvent, in what order and in what manner the notes would be met. I propose to alter that section so as to make it somewhat clearer than it is at present, and to make it applicable to all banks which have the right of issue, which may become either limited banks, or banks of reserve liability. I propose to provide in substance that the assets of the bank shall go, in the first instance, *pari passu*, for notes and for general liabilities, and that the separate assets of the partners shall be responsible for the balance that may be due on account of the notes. The precise way in which it is done is best shown by the clause, which was rather a difficult one to draw, and I should prefer that the Committee would wait until they see the exact words. That would be a provision which would fairly well meet the case of the English banks, because that case, as the Committee is aware, is one of a comparatively simple character. In the case of an English bank which has the right of issue, the total amount of issue is limited by the terms of the law, and cannot be exceeded. In the case of the Scotch and Irish banks there is a difference, especially so in regard to the Scotch banks, where difficulties arise from the system upon which the issues of Scotland are conducted; because there, over and above the amount of the authorized issue, you have what is roughly described as an issue of notes upon gold. Now, there are some features of this system which are not altogether satisfactory. It is difficult to be quite sure that there really is gold held against all the notes which have been issued. I admit this is a thorny subject with which to deal, and I am rather unwilling to go into the controversy which we are naturally led to enter upon when we come to the question of Scotch issues. I propose, therefore, we should make this provision with regard to the right of banks to become limited, or to take position of reserve liability banks, common to all banks of the United Kingdom, and that we should make the clause which I propose as a substitute for the Overstone Clause applicable also to all parts of the United Kingdom; but, in order to keep within bounds the difficulties which arise under the Scotch system, I shall propose by that clause to make this condition—that a bank of issue shall not register itself as a reserve liability bank, or, after the passing of this Bill, as a limited liability company, if and so long as it has any house of business or establishment as a bank in any part of the United Kingdom other than that in which the principal offices are situate. The effect of that would be to confine a bank of Scotland to Scotland, a bank of England to England, and one of Ireland to Ireland. Upon the whole, though that falls short of the mode of dealing with the whole question of issue as I should like to deal with it if I had the means, yet, I think, it provides a convenient temporary arrangement. At all events, with regard to a difficult aud important part of the question, these are the leading provisions of the Bill which I ask the leave of the Committee to introduce; but there are just one or two subsidiary points I must mention.

First, there is no satisfactory provision at present for the publication of accounts, and I propose there should be a form given in the Schedule of the Act which should regulate the accounts, which, at all events, should be presented by banks once in every year. I am unwilling to make that account too complicated, or to go into so much detail as the hon. Member for Glasgow (Dr. Cameron) has done in the Bill he has introduced. That is a Bill of a very interesting character, and the hon. Member has spent a good deal of trouble in framing the account contained in the Schedule of his Bill; but I think it more complicated than is desirable. Then there is another important matter, which is this—there is at present no proper provision for audit. With regard both to the publication of accounts and to audit, we desire to be distinctly understood as repudiating, in any way, Government interference with the matter. We do not desire to have either the publication of accounts subject to the regulation of the Government, or through the Government in any way, nor do we desire that the audit should be conducted by a Government Department or under its direction. All that we propose is that in every bank there should be a provision made for the appointment of an auditor or auditors, independent of the directors, who shall audit the accounts and publish the report certifying whether the accounts are given correctly, and disclose a true and fair statement of the accounts of the bank as shown by the books. It is impossible for an auditor to go into the books and say from them whether this is a good bill, or that is a good security. That is not only impossible to effect, but to attempt it would be delusive and dangerous. We keep free from that. What we propose in the Bill is, that a proper examination shall take place of the books, and that the auditor shall declare, assuming their correctness, the statement of accounts is properly put together, and that it does give a full and fair description of the state of the bank. I have now gone through the provisions of the Bill, which I think it of some importance should be short and simple, and I hope the effect of the amendment of the law which I now propose may conduce partly to improve our joint-stock system of banking, and partly also to allay the uneasiness which I fear has existed as to the legislative measures that might be proposed owing to the failures which have occurred. I have now to move for leave to bring in the Bill.

Motion made, and Question proposed,

"That the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Law with respect to the liability of members of Banking and other Joint Stock Companies; and for other purposes."—(*Mr. Chancellor of the Exchequer.*)

Mr. ANDERSON: Sir, I do not like to be too sanguine about the character of a Bill from the statement made in introducing it, because very often the provisions contained in the Bill itself are afterwards found to be rather disappointing. I have, however, listened to the statement of the right hon. Gentleman the Chancellor of the Exchequer, and I think, on the whole, the Bill he has proposed is a fairly good one. There are certain parts that I do not at all like; but I rise, however, to support the principle of what he calls "reserve liability." I do not like the name, but the principle is, I think, good, although I do not think it will ever work well with such a name attached. He has not, however, named what particular principles of liability are to be the rule; he has not named what the particular extent of the proposed mutiple of liability is to be. The Bill does not seem to deal with this like the liability of the American national banks, which have one simple rule, which is, that whatever amount of stock a partner holds, he is liable for a similar amount in addition; and that extent of liability has been found to work well, and to be satisfactory both to the public and the partners. The right hon. Gentleman does not propose to adopt any such rule. If a bank chooses, it may make its partners liable for as much more capital as they have, or twice as much more, or three times as much more, or four times as much more. I do not see that that is a very good plan, because it will introduce a great amount of confusion. Different banks may, and probably will, adopt different modes. Much simpler would it be that the banks should have to adopt a particular reserve liability to the extent of as much more as their capital, or twice as much more, so that it should be a uniform principle applied to all the banks. Again, the Chancellor of the Exchequer has not explained about the three chartered Scotch banks, which are supposed to be limited, but as to which limitation there is a great deal of doubt. Does the right hon. Gentleman declare them limited, or do they require to come under the new law? I think he is quite right, in regard to the banks of issue, that the partners should be liable for the notes, that there should be no reserved liability as to issues; but that should be a sufficient guarantee for the notes. I do not think any further guarantee should be adopted, such as kicking all the Scotch banks out of London, which the Chancellor of the Exchequer has proposed to do, as if that would be an additional security for the notes. For that I do not see any ground; in fact, I do not see how the right hon. Gentleman can take from the banks their offices in London, and confine such banks to the Provinces, without giving them compensation. It would be simply a case of confiscation. The banks might have been stopped from coming to London by an Act of Parliament some years ago; but having been allowed to come under the law which existed, and having established business in London, I do not see how you can deprive them of that business without giving them compensation for it. Well, as regards trustees, we all feel deeply for the position in which they are placed. Whatever the situation of the law in England, the law in Scotland has generally been believed to be, that trustees who did not participate in the profits were not liable, and under that understanding people have become trustees for orphans, and in that way they have done a great deal of kind and loving work for orphans; but, under the declared condition of the law, that is all upset. I am very sorry indeed that the right hon. Gentleman does not see his way to make some change in that law, so as to allow the same kindly work to be done for widows and orphans in the future as has been done in the past, without this dreadful liability. The result will be that people will decline to act as trustees at all, and that work which would be done from kindness will have to be handed over to paid lawyers to do; and I do not think there will be any gain to the community in that. I regret exceedingly that the Chancellor of the Exchequer has declared he cannot touch that part of the law, and make some provision to avoid the difficulty. About controlling the banks, too, something else seems to be required which the right hon. Gentleman did not even name. For instance, as to the City of Glasgow Bank, we know it to have been kept up before the public by keeping up its shares, the directors continuing to traffic in the shares, and buy up all that were offered. Under an existing Act of Parliament, usually called Leeman's Act, an Act passed to prevent the wrecking of banks, the banks have a great protection for their shares which no other share company has. A broker cannot offer a bank share on the Stock Exchange without giving the numbers of the shares that he is offering. In that way there is no over-speculation, and that was a very wholesome provision to prevent the wrecking of banks; but when banks have that protection the public ought to have a protection against bank directors. Therefore, if banks are to be protected by Leeman's Act, they should also be prevented from trafficking in their own shares; and there ought, therefore, to be a provision in the Chancellor of the Exchequer's Bill making it penal for directors of banks to buy up with the bank's money the shares that are offered on the market. We see what the City of Glasgow Bank directors did. Whenever a share was on the market they went and bought it up, and the shares were held for the bank. By reason of the directors being able to buy up the shares, they kept their credit up in a way that could never have been done otherwise, and by so prolonging their career intensified the disaster. The Chancellor of the Exchequer, therefore, will do well to consider whether he cannot introduce some provision making it penal for banks to traffic in their shares; but how it is to be regulated may be a question. Of course, directors come into possession of shares, and that cannot be obviated; but there ought to be a limit of time as to the period they should be allowed to retain them. On the whole, I congratulate the Chancellor of the Exchequer on the Bill he has introduced.

MR. HEYGATE said, he thought, whatever might be the case in Scotland, the proposals of the Chancellor of the

Exchequer, so far as they had been shadowed forth, were such as would commend themselves to the banking community of England generally, and would be received by them with satisfaction. His right hon. Friend had certainly not exaggerated the alarm and uneasiness which prevailed amongst the numerous class of persons in this country who were interested in the shares of unlimited banks. Ever since they knew the weight which would fall upon them in case a failure of their bank occurred, there had been a feeling of great anxiety throughout the country upon the subject that could only be allayed by additional facilities being given for the adoption of the principle of limited liability. The only reason why that could not be sooner adopted was, as had been explained by the Chancellor of the Exchequer, owing to an accidental and not an intended disability, which was connected with several of the banks that had adopted the principle of the Act of 1872, and registered under it for special purposes; and having once registered under it for those special purposes, it seemed it had been held by the law that they were in a position which rendered them unable to re-register. The removal of that disability was the one great object which was desired throughout the country; and as he was one of those who had been so bound his satisfaction was sincere, and he thought the right hon. Gentleman would be conferring a great benefit upon the country, and especially upon the banking community. He must also congratulate the right hon. Gentleman on having avoided the rocks upon which he might have come to difficulties if he had attempted a more ambitious policy, and had launched a new scheme of note issue. There was a hard task for any Government who would undertake that subject. The right hon. Gentleman the Member for Greenwich found the hornet's nest he had to deal with when he attempted to deal with it in 1864. With regard to the trustees, he (Mr. Heygate) quite agreed that theirs was a position which all must commiserate, and he wished it could be dealt with in the Bill. At the same time, he thought a wise policy had been adopted in limiting the Bill as it had been limited. The position of trustees was one which required not only in Scotland, but in England, a further definition. Although it was supposed they all understood the position of a trustee, he was by no means certain that the law on the subject was altogether clear; and at all events, speaking for himself, he thought the law was by no means just. The facilities which were proposed for giving notices to customers as to the adoption of limited liability were exceedingly valuable. It would have been a matter of some difficulty to have given the notices, unless it had been clearly laid down that sufficient notice should be given, and the manner in which it was prescribed. The proposals for audit and the publication of the accounts in a certain form could not be objected to; and he endorsed all that had been said with reference to the improvement in the class of shareholders which was likely to follow from the facilities afforded by the Bill for the adoption of limited liability, and the prevention of the deterioration of the present class of shareholders which would have followed if the present state of things had been continued. He believed the directors would be also improved. Everyone connected with banking business knew there was no greater difficulty than that of finding a good set of men to undertake the management of a joint-stock bank; and if the principle of the Bill was adopted, so as to become general, he thought it would tend to the advantage of the public in securing both a better class of shareholders and a better class of directors. He would only add, that he thanked the Chancellor of the Exchequer for the Bill, and hoped that the right hon. Gentleman would make it one of the first moment, and push it forward with all the energy of the Government.

MR. RATHBONE said, he thought it better that, as suggested by the Chancellor of the Exchequer, they should reserve any discussion of what was in the Bill until they had the Bill itself before them. But there was one point which the Chancellor of the Exchequer said was not in the Bill, which he would venture to ask the right hon. Gentleman to consider. The Chancellor of the Exchequer intimated that he would defer dealing with the whole question of the circulation of notes, and he spoke the opinion of the commercial community, when he said that question was not at all on a satisfactory footing. But he (Mr. Rathbone) would ask the Chancellor of the Exchequer to consider whether it was not desirable, without raising any very great difficulties, to give an inducement to put that system on a better footing than it was. At the present moment, the circulation of this country and of Scotland really rested upon no security at all. Now, would it not be well, in giving the privilege of limited liability which was proposed to be given to banks of issue, to give an option of depositing Consols at 80, or other sufficient security, for their extreme issue, which should still be confined to their original limits as an outside limit; and, where a bank accepted that option, the limitation of liability should extend to its note issue, as well as to its general liabilities. In that way, it being optional, he could not help thinking country bankers would find it a convenience and a security to them to so deposit Consols. The public would then feel there was a public security, and such banks would be guarded against the chance of a run on that part of their liabilities; and they would get 3 per cent on that amount of their issue, which was a very fair remuneration. He thought, if that plan were adopted—as it was to a certain extent in Scotch banks with their limited issue—it would give them a chance of attaining a better security and a better system of issue than they had at present.

Mr. SAMPSON LLOYD said, he joined most cordially with the hon. Member for South Leicestershire (Mr. Heygate) and others in rejoicing that the Chancellor of the Exchequer had brought in a Bill to deal with this question. On the whole, the Bill was moderate in terms and not complicated. There was one point, however, on which he failed to see the benefit of the distinction created by the Bill between that and other forms of partnership. This proposed partnership with reserve liability might, it seemed to him, be equally well met by limited liability. What was the difference between a bank with £50 shares and £10 paid up and the reserve liability which was contemplated by the Chancellor of the Exchequer's distinction? If he was right in that view, he thought it was a great pity to complicate the matter by a different form of partnership contract. There was also something said about the title. Now, he spoke from practical experience; and he believed that the term "limited" would injure no bank, provided that the subscribed capital was sufficiently large and the general management good. Therefore, he thought it would be a pity to adopt a third somewhat complicated and confusing title, when an existing title answered every possible purpose. One thing was to be noted in all these bank failures. He believed not a single bank had failed for years past which had had a good and thoroughly satisfactory audit. Neither the City of Glasgow Bank, nor any of the banks which had been subject to comment lately, ever was audited by auditors who were independent of the directors, and who were sufficiently remunerated to do their work thoroughly. If they gave their auditors £50 to audit the accounts of a bank with 20 branches, they might expect to have an audit which was worth nothing; but if they gave them 500 guineas, and encouraged them to make their auditing thorough, then he believed that an audit by public accountants was an effectual security against any public disaster, and the most effectual security that could be devised. As regarded Scotch banks in London, if he understood the Chancellor of the Exchequer rightly, a Scotch bank would be under the same disability as regarded trading in England as at present an English bank was with regard to trading in Scotland. If the right hon. Gentleman's remarks went so far as that, he could only say he thought the principle was a just one. As to what the hon. Member for Glasgow (Mr. Anderson) had said, he should have thought the Scotch banks that had ventured into English waters had got a sufficiently sobering experience in connection with the City of Glasgow Bank not to wish to bank in London much more. Be that as it might, he thought it was perfectly just that the two countries should be placed on an equality as regarded local privileges, and that which was denied to English and Irish banks in Scotland should be denied to Scotch banks in England and Ireland; or else that all should be free in the three countries, and, perhaps, that would be the best notion of the two. He also thought the proposal about the balance-sheet was one that no well-managed bank would object to; but the public would be well aware that honest and well-managed banks did not require all these precautions, and as to the dishonest, they would find means to deceive the public in any balance-sheet that might be devised. It was impossible, for instance, to tell from the balance-sheet what the bills were, and what were the securities, and so on; but still it was well to attempt it, because it satisfied a certain section of the public. The hon. Member for Glasgow had said something about directors trafficking in shares, and, of course, that was a most objectionable practice. It was his (Mr. Sampson Lloyd's) impression that there was a clause in the Articles of Association of most banks to prevent that; but if not, it was as well that it should be done. He could not help thinking that the remark with which he begun, as to the non-necessity of the new form of partnership, was worthy of consideration; but he was quite sure that hon. Members would all agree with him that they should be happy to support the Bill when it came into the House.

MR. COURTNEY congratulated the Chancellor of the Exchequer on the simplicity of the scope of the Bill, which was cautiously limited, as far as possible, to facilitating the conversion of unlimited banks into limited ones. With respect to the term reserve liabilities, he (Mr. Courtney) thought, with the hon. Member for Glasgow (Mr. Anderson), that it would excite a good deal of alarm and be very generally misunderstood, and he did not at all share the idea which was represented to be entertained by the managers of existing banks that the addition of the word "limited" to their title would excite any feeling of insecurity whatever. On that point he thought the experience of the hon. Member for Plymouth (Mr. Sampson Lloyd), who had actually tried it, was conclusive. With respect to the new form of liability, he took the meaning to be this—that, in the case of shares, with a small proportion of their nominal amount paid up, there would be no practical difference between the existing liability and the new form; for instance, in the case of £50 shares of which £10 was paid up, or £100 shares with £20 paid up, they must contemplate the possibility of the £50 or £100 shares with the whole sum paid up; and it was, he presumed, to apply to that that the right hon. Gentleman had framed his plan. Well, he ventured to suggest what he thought was worthy of consideration, and would avoid this question of introducing a third class of banks of unknown liability. It was—that any bank registering as a bank of limited liability should be liable to the extent of its shares, provided always that if the share were so called upon as to trench upon more than half of the nominal amount, the liability of the shareholders should *ipso facto* increase, so as never to be less than double the amount called up. So that with £100 shares, of which £60 was called up, the liabilility would be £120 per share; with £100 shares, £80 paid, the liability would be £160; but if there was less than half called up the liability would be, as at present, only to the full amount of the shares. He believed that few limited liability banks existed with half the amount of their shares called up; so that they would never have that proviso brought into operation at all, except, perhaps, in the case of some Scotch banks; but in the event of its being done, they would then have the guarantee brought into operation, which would be perfectly sufficient for the security of the creditors, and would remove the objection which the Chancellor of the Exchequer had in view, and would also avoid this "reserve liability." The right hon. Gentleman said he thought it would not be necessary to require that notice should be served on all the customers; but he (Mr. Courtney) disagreed with that, because in country districts many outlying customers, who came to the bank only once or twice a-year, would not be made aware of the change. He did not believe it would be so difficult as the right hon. Gentleman supposed to serve a notice upon all the customers of the bank; but if that were not done, the unlimited liability ought to continue for a considerable time. With respect to banks of issue, the right hon. Gentleman did not propose to alter the Overstone Clause, but only to expound it, so that it would be only made more clear. The case of the trustees was certainly very hard; but he (Mr. Courtney) did not see that it was possible for the right hon. Gentleman to do anything to relieve them of their liability. If trustees were recognized as a separate class of shareholders, a new and unfair kind of liability would be created, and creditors would be debarred of the rights to which they had a just claim. He agreed with the hon. Member for Glasgow (Mr. Anderson) in the strong antagonism which that hon. Member had expressed to the proposition of putting a prohibition upon Scotch banks against coming into England. That he understood was a clause to be attached to them in the event of their becoming limited banks. Now, the object of the Bill was to induce banks to become limited. No case whatever had been made out for driving those banks out of London and out of this country; everybody except the London bankers was delighted at the increase of competition. He was sorry to hear the Chancellor of the Exchequer say he was going to put forward a prescribed form of accounts. He did not believe much in that, especially when it was coupled with this declaration—that these returns were not to be sent into any Office whatever. He did not know, therefore, what kind of penalty there would be if the prescribed form was not adhered to. It was quite certain that no form of accounts could give any real guarantee to the creditors of the bank as to its solvency. They would have in the accounts "bills discounted," so much, "advances to customers," so much; but whether the bills bore good names, and whether the advances were made on good and satisfactory security, could not be found from any form of accounts whatever.

Colonel MAKINS said, that, so far as the Bill would go in abolishing unlimited liability, he quite approved of it; but he agreed with the hon. Member for Plymouth (Mr. Sampson Lloyd) in deprecating the introduction of a third form of liability. He thought the plan sketched out by the hon. Member for Liskeard (Mr. Courtney), if he understood it correctly, was an improvement. With regard to the audit, he should like to suggest that the depositors were a class who ought to be represented, as it might be possible for the directors, by manipulating the proxies, to secure the appointment of auditors favourable to themselves. It would be desirable, therefore, to secure that they should have an independent auditor representing them, as well as the auditors representing the shareholders. He did not agree with the hon. Member for Liskeard in disapproving of forms of accounts, because he thought it would be much more simple and useful to those who were shareholders in more than one bank, who might wish to know exactly where to look for any item in which they took an interest. He believed everyone but the hon. Member for Glasgow (Mr. Anderson) had admitted that it was impossible to abolish the liability of trustees; it would, in fact, be a premium to speculators to do so. He did not see how their liability could well be abolished without opening the door to fraud. People would have themselves registered as trustees, in order to escape their just liability. He hoped, therefore, no attempt would be made to amend the Bill in that way; because it would only impede its progress, and probably cause it to fail altogether.

Mr. LYON PLAYFAIR said, he quite agreed with the Chancellor of the Exchequer in the desirability of postponing the discussion of the Bill; but there were one or two questions on which he was very anxious to get an explanation from the right hon. Gentleman on a subject which excited great interest in Scotland, and on which a full understanding would be very valuable. There were a certain number of banks in Scotland which believed that by Charter and by Act of Parliament they were limited already—such as the Bank of Scotland, the Royal Bank, the British Linen Bank, and others. Well, as he understood it, this Bill was a permissive Bill, and these banks, believing themselves to be limited by the powers they already possessed, would not require to re-register under the Act. Then, if that was so, those banks might have offices in London; but the other banks in Scotland —take such as the Clydesdale Bank, the Commercial Bank, and others, which were banks of unlimited liability—if they desired to take advantage of the Act, they must put the term "limited" or "reserve limited" upon their names, and then they were placed in a different position altogether from the other banks, and were not to be allowed to have offices in London. If that was to be the case, the Bill would certainly act injuriously upon some banks and very beneficially upon others. He wished to know whether he had given the right explanation, and whether that would be the effect upon these different banks? He admired the simplicity of the Bill; but he should like to reserve any discussion upon the subject until he had seen the terms of the measure, and until he had seen exactly in what manner it would bear upon the different banks.

Sir SYDNEY WATERLOW believed the discussion would be a great service to bank shareholders, and the result would be to relieve them of some of the extreme liability which they now possessed. He did not agree with the hon. Member for Plymouth (Mr. Sampson Lloyd) when that hon. Member ventured to suggest that there was not much difference between the position of a shareholder in a bank with only £10 paid out of a subscription of £30 per share, and the kind of reserve liability which the Chancellor of the Exchequer suggested. Why, the marked difference was this—that in the first case the remaining £20 might be called up, and then there was no reserve; but the reserve liability contemplated by the right hon. Gentleman was not to be called up, except in case of winding-up. It was only intended as a protection to the depositors and customers of the bank, and not to be available for purposes of ordinary business; and, therefore, he trusted the right hon. Gentleman would not be persuaded to give up this new form of "reserve liability." It had been said, with some force, that the large unlimited banks were very anxious not to have a ticket or label added to their names which might shake their credit. He thought they were not so much afraid of it because of its effects in this country; but these banks had enormous operations abroad, all over the world; and, therefore, the Committee could understand why they did not wish to have a word attached to them which might cause misapprehension or shake confidence. Now, the right hon. Gentleman had told them he could not see his way to use the word "charter;" but he was good enough to say he was not wedded to the term "reserve liability," and was quite ready to receive and consider any suggestions. The right hon. Gentleman spoke of Colonial banks, and it appeared he thought they were a very good model; they were of modern construction, and their constitution was, perhaps, rather a model for the Bill. Now, he (Sir Sydney Waterlow) thought he would ask the right hon. Gentleman to reconsider the matter, and to see whether it was not possible to make all the banks chartered. If he attached to the Bill a Schedule of a Charter, every bank registered under the Act would be chartered in the form set out in the Schedule; but the banks might be called anything they liked—for instance, "The Bank of London, chartered 1879." Anybody would know then that the Act of 1879 would give a copy of the Charter and constitution of the bank; there could never be any doubt as to what was the extent of the liability; and it would be a distinguishing mark which everyone would understand. He believed the word "chartered" would be much more acceptable to the unlimited banks than the word limited, which was unpalateable to them.

Sir GRAHAM MONTGOMERY said, he was disappointed when he heard his right hon. Friend the Chancellor of the Exchequer speak of his intentions with respect to the Scotch banks. It seemed rather hard that they should have to give up their offices in London in order that they might become limited. The proper time to stop them coming to London would have been when the Royal Bank of Scotland got a Private Act to come here, or after the Report of the Select Committee on Banks of Issue, by bringing in a Bill at that time. But nothing was then done, and because of that many of the banks had since come to London and opened offices besides purchasing premises; and he did say it was very hard now, by means of a side-wind, to attempt to drive them out; and he therefore trusted the right hon. Gentleman would reconsider the matter before the second reading of the Bill.

Sir JOSEPH M'KENNA believed it to be unworthy of the occasion, and of the Chancellor of the Exchequer's statesmanlike proposal, if he were to complicate this measure with any limitation of the privileges of Scotch and Irish banks. On one other point he desired to remark. He did not think the creditors of the bank ought to be presumed to have received complete notice by publication in *The Gazette* or in newspapers. All creditors should have notice of change in the liability of a bank on a form that would be supposed to reach them personally, such as a postal circular; and they should not have their consent to the change assumed, if not given expressly.

MR. RAMSAY said, he had no wish to continue the discussion; but could not omit saying that if the right hon. Gentleman expected that the measure he had explained would be satisfactory either to the Scotch banks or to the Scotch people, he was labouring under a misapprehension. It would be very prejudicial to Scotch bankers to restrict their trading in England. He would remind the hon. Member for Plymouth (Mr. Sampson Lloyd) that English bankers were merely prevented from going to Scotland by their own interests. True, they had not the same rights of issue as the Scotch banks; but there was nothing to prevent their going to Scotland to carry on banking business, properly so-called. He had had the opportunity of hearing the views of public bodies in Scotland on this question of banking expressed on more than one occasion; and he believed that the only way in which the Government could give satisfaction to the people of Scotland, and, indeed, to the people of Great Britain, was to repeal the Act of 1845, and to restore the law of Scotland to the position in which it was before that Act was passed. Under such a state of things he believed there would be no occasion either to guarantee notes, or to interfere in any way with the business of banking. He could see no ground for any interference with the business of banking, any more than for interference with any other business; and the provisions the right hon. Gentleman made with regard to joint-stock banks should equally apply to any other joint-stock associations. There should be no exclusive monopoly conferred on them, any more than any other branch of business.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I must express my acknowledgments to the Members of the Committee for the kind manner in which they have received the proposal I have just made, and thank them also for several suggestions made by Gentlemen well qualified to give advice upon the subject. I have no doubt that in the course of discussion on this Bill we shall get some valuable suggestions, and I shall be most ready to avail myself of any which I find it possible to make use of. At the present moment, I hope I may be excused from entering into the rather difficult and weighty question connected with the banks in Scotland. That is a question very much by itself; and as it is one which we shall be called to speak upon again, I will not say anything about it at the present moment. With regard to one or two other questions that have been raised, and especially that which is raised by my hon. Friend the Member for Plymouth (Mr. Sampson Lloyd), I may say one word. We are asked why we should have a third form of liability? I do not know that there is any absolute necessity for having nominally a third form. All might come under one designation, and all might not improperly be called "banks of limited liability," if it were absolute in one case, and in another limited to something more than the actual amount of shares. There can be no doubt that there are a large number of banks, the circumstances of which are such that the mere limitation of liability to the amount of their shares would not be a satisfactory arrangement. I remember hearing the manager of one bank say—"Limited liability would suit us exactly, because in our case not more than a fourth or a fifth of our shares are called up, and the remaining three-quarters or four-fifths are as good are serve as any we could provide in any other way." On the other hand, other bankers with whom I have had communication say—"Oh, that will not suit the case of our banks at all, because something like three-fourths or four-fifths have been called up; and if we, being now unlimited, were to turn ourselves into a limited company, and tell our customers that there is only one-fourth or one-fifth of the value of the shares to fall back upon, they would be greatly alarmed, and the bank would be greatly discredited." So that in such a case it is necessary to do something which would give a greater reserve for the customers to fall back upon. The hon. Member for Liskeard (Mr. Courtney) seemed to me to take up the objection of the hon. Member for Plymouth (Mr. Sampson Lloyd), and then to make a suggestion which really, as I understood it, set up my case as against that of my hon. Friend, because he said—"Undoubtedly, if you do limit the liability to the amount of the shares, you may find they are in some cases nearly or entirely called up, and you might provide that there should be always an amount of liability beyond the amount of the share." That is exactly what I propose.

Mr. COURTNEY: I suggested it as what the right hon. Gentleman proposed to do, but I suggested it a simpler way of doing it.

The CHANCELLOR of the EXCHEQUER: The objection which I have to that way of dealing with it is this, and it is the same as that which I would take to the hon. Member for Glasgow (Mr. Anderson)—that you should fix precisely by law a uniform amount of liability over the amount of the shares. The principle is to provide by law as little as may be, and to leave as much as may be to the managers and shareholders of the banks themselves—to allow the one to take a larger liability and the other a smaller, provided they give proper notice and make it clearly understood. These are matters, however, which will be better discussed when we have the Bill before us. I am afraid there will be considerable difference of opinion as to the suggestion of the hon. Member for Plymouth (Mr. Sampson Lloyd) that the use of the word "limited" would increase the credit of the bank. I believe it to be very reasonable that it should do so; but, as a matter of fact, I believe it is not the opinion of a large number of bankers that it would. But possibly one of the effects of the discussion we may anticipate on this Bill will be to remove some of the prejudices and false impressions with regard to liability, and to render it easier to make that change without producing a false impression. Probably I shall best consult the convenience of the Committee by not going further to-night, but waiting until the Bill is in the hands of hon. Members.

Question put, and *agreed to*.

Matter *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House that leave be given to bring in a Bill to amend the Law with respect to the liability of members of Banking and other Joint Stock Companies; and for other purposes.

Resolution *reported*:—Bill *ordered* to be brought in by Mr. Chancellor of the Exchequer, Mr. Secretary Cross, and Sir Henry Selwin-Ibbetson.

Bill *presented*, and read the first time. [Bill 126.]

The Chancellor of the Exchequer

ORDERS OF THE DAY.

SUPPLY—REPORT.

Resolutions [18th April] *reported.*

Resolutions 1 to 16, inclusive, *agreed to.*

Resolution 17.

In reply to Mr. D. Jenkins,

Mr. J. G. TALBOT gave the details promised with regard to a sum of £2,000 as to the *Richmond* tender, as follows:—Wages, £700; Victualling, £500; Repairs, incidental to the maintenance of the vessel, £500; Stores and Incidentals, £300. As to the *Charles Tunnell*:—Wages of shipkeeper, and wages and victualling of crew when required also for any necessary repairs, £200. He added that the wear and tear of these vessels was necessarily very large in such a climate.

Resolution *agreed to.*

Resolutions 18 to 24, inclusive, *agreed to.*

Resolution 25.

Mr. O'DONNELL recommended the postponement of that and the two following Votes, on the ground that there had not been a fair opportunity for discussing them in Committee.

Sir HENRY SELWIN-IBBETSON could not admit that the Committee were taken by surprise on Friday last, nor could he accept the proposal of the hon. Member to postpone the Votes. Supply was proceeded with in the ordinary manner, and it was perfectly competent for hon. Members to discuss the Votes at any length. He could not consent to any interference with the proper course of Business, simply because the hon. Member did not happen to have been present.

Resolution *agreed to.*

Remaining Resolutions *agreed to.*

VALUATION OF PROPERTY BILL.

[Bill 71.]

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

COMMITTEE. [*Progress 21st March.*]

Order for Committee read.

Mr. PELL asked that some assurance might be given as to when the Bill would really be further proceeded with, as it had already been a considerable time under the notice of the House.

Sir HENRY SELWIN-IBBETSON said, the Government were quite as anxious as the hon. Member for South Leicestershire (Mr. Pell) that the Bill should be proceeded with as quickly as possible. He had hoped that it might be taken on Friday next; but he was afraid there was not now much prospect of the hope being realized, and it might be advisable to endeavour to persuade the House to resume Progress in Committee at a Morning Sitting.

Committee *deferred* till *Friday*.

CONVENTION (IRELAND) ACT REPEAL (No. 2) BILL.—[Bill 116.]

(*Sir Joseph M'Kenna, Mr. Patrick Smyth, Mr. O'Shaughnessy.*)

SECOND READING.

Order for Second Reading read.

Mr. J. LOWTHER said, he had no objection to the Bill being read a second time. He merely wished to remark that the Bill had only been delivered that morning; and that there had consequently been no opportunity for submitting it to the Legal Advisers of the Irish Government. No doubt the hon. Gentleman in charge of the measure would be disposed to postpone the stage of Committee for a reasonable time. He desired it to be distinctly understood that, in assenting to the second reading, he in no way committed himself to the provisions of the Bill.

Bill read a second time, and *committed* for *Monday* 5th May.

MOTIONS.

DOGS REGULATION (IRELAND) ACT (1865) AMENDMENT BILL.

LEAVE. FIRST READING.

Mr. J. LOWTHER moved for leave to bring in a Bill to amend "The Dogs Regulation (Ireland) Act (1865)."

Major NOLAN said, he did not want the right hon. Gentleman the Chief Secretary for Ireland to make a speech; but he considered the right hon. Gentleman ought to give some explanation of the provisions of the Bill. The Bill would affect a large proportion of his constituents—indeed, it would affect a very large number of persons in the whole of Ireland; and if its object was to increase taxation, it would assuredly give rise to a great deal of excitement.

Mr. J. LOWTHER found it difficult to explain the provisions of the Bill without making a speech. He would briefly state, however, that the object of the measure was to afford protection to the owners of flocks in Ireland, who had been making great complaints of late with reference to the ravages of dogs. The proposal was to afford Ireland equal laws by assimilating the tax on dogs to what it was in England.

Mr. WHITWELL inquired if it was proposed that the tax should go to the locality, or to the Government?

Mr. J. LOWTHER stated that it was not proposed to alter the source to which the tax should go. It would be a local tax, as it had hitherto been in Ireland.

Major NOLAN considered the proposal a most serious one, and was convinced that it would occasion a great deal of excitement in Ireland. The Bill would affect the peasant population, and it seemed that it was not intended to establish the same exemption that existed in England with respect to cattle and sheep dogs. He was certain that the measure would create in Ireland a sensation which the Government would be unable to meet. He should put a Notice to oppose it upon the Paper, and he should be surprised if it passed into law.

Motion *agreed to*.

Bill to amend "The Dogs Regulation (Ireland) Act, 1865," *ordered* to be brought in by Mr. James Lowther and Mr. Attorney General for Ireland.

Bill *presented*, and read the first time. [Bill 129.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (ASHTON UNDER LYNE, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Ashton under Lyne, the Local Government District of Blackrod, the Rural Sanitary District of the Burton on Trent Union, the Local Government District of Chelmsford, the Borough of Cheltenham, the Local Government District of Ealing, the Boroughs of Jarrow, Maidstone, Newport (Monmouthshire), and Penzance, the Local Government District of Prestwich, the Rural Sanitary Districts of the Rugby Union and Southam Union, the Local Government Districts of Swinton and Pendlebury and Torquay, and the Improvement Act District of West Hartlepool, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 127.]

PUBLIC HEALTH (IRELAND) ACT (1878) AMENDMENT BILL.

On Motion of Mr. JAMES LOWTHER, Bill to amend "The Public Health (Ireland) Act, 1878," *ordered* to be brought in by Mr. JAMES LOWTHER and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 128.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, 22*nd April*, 1879.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Friendly Societies Act (1875) Amendment * (25).

Committee—Rivers Conservancy * (20-59).

Committee — Report — Registration of Births, Deaths, and Marriages (Army) * (27).

Third Reading—Local Government (Ireland) Provisional Order Confirmation (Downpatrick) * (21); Local Government (Ireland) Provisional Orders Confirmation (Cashel, &c.) * (22), and *passed.*

SOUTH AFRICA — THE ZULU WAR— TELEGRAMS FROM THE SEAT OF WAR.—QUESTIONS.

THE EARL OF KIMBERLEY: My Lords, seeing my noble Friend the Under Secretary of State for the Colonies in his place, perhaps I may be permitted to ask him, Whether he will state what is the latest news that has been received from Cape Colony?

EARL CADOGAN: My Lords, a despatch has been received at the Colonial Office, and one in almost identical terms at the War Office. The one to the Colonial Office is in these words—

"From J. Gordon Sprigg, Colonial Secretary, Cape Town, to the Right Hon. the Secretary of State for the Colonies, London, dated Cape Town, 7th April, 1879.

"The Lieutenant Governor of Natal, Sir Henry Bulwer, desires me to communicate the following message which he has received from Colonel Hopton at Fort Pearson, Tugela River:—'I am directed by Lord Chelmsford to send the following communication:—The relieving column, under Lord Chelmsford, formed laager near Gingihlovo, on afternoon of 1st April. Very heavy rain throughout evening and night. At 6 a.m. on the 2nd Zulus attacked laager, on each side in succession—two distinct forces employed. Enemy advanced in most courageous manner, but never got within 20 yards of shelter trench. At 7.30 a.m. the attack was repulsed, and the enemy retired precipitately, followed for some miles by the mounted Infantry and Natives under Barrow and Barton, and Nettleton's regiment of Natal Contingent. Sabres of the mounted Infantry did great execution. The fight was witnessed from Ekowe, and Colonel Pearson, flashing signals, congratulated General upon success. Casualties—Lieutenant Johnson, Privates J. Smith and Lawrence, 99th, Private R. Marshal, 91st, and Private J. J. Pratt, 60th Rifles, killed. Colonel Northey, 60th Rifles, and Dr. Longfield, of Her Majesty's ship *Tenedos*, dangerously wounded. Major Barrow, of the 19th Hussars, and Captain Hinxman, 57th, slightly wounded. Twenty soldiers and sailors wounded, one Native killed and 10 wounded. There were 471 bodies of Zulus counted within 1,000 yards of the laager. The long grass and bushes helped their approach and assisted their retreat. Total loss must have been double. Portions of 11 regiments are known to have taken part in attack — viz., Ngoxamonosi, Uvemmsityu, Unambonambu, Zulwana, Nokenka, Nodwena, and others. Prisoners state that 195 companies were engaged, which, at 60 men each, would give 11,000. Dabulmanzu, mounted, led the final attack. Somapo was in chief command. Lord Chelmsford intends to abandon Ekowe, both roads being very difficult of approach; he will establish a permanent post on the coast road. Gingihlovo laager will be reduced to permit its being held by a garrison. The General goes to Ekowe with three regiments and carts. Prisoners state that messengers arrived yesterday with news of Colonel Wood's victory on the 29th.'

"Since the foregoing message was received, further intelligence has arrived from the Natal Government that Lord Chelmsford has relieved Colonel Pearson at Ekowe, and has returned with the whole garrison to his camp."

Another telegram in these terms has been received—

"Telegram from Government House to Sir Michael Hicks-Beach, dated Cape Town, April 7.

"No news from High Commissioner's Camp since last mail. Postmaster at Pietermaritzburg telegraphed to Under Colonial Secretary Cape Town, 4th April: High Commissioner and Staff 30 miles beyond Newcastle, on road to Standerton, 31st March; all well. Lord Chelmsford has successfully relieved Ekowe, and brought away garrison safely. Relieving force under Lord Chelmsford left Fort Tenedos 29th March; attacked by enemy about 12,000 strong at Gingihlovo 2nd April; completely defeated them. General continued march to Ekowe with part of column; reached it 3rd April. I understand particulars of engagement have been telegraphed to Sir Henry Bulwer—Colonel Hopton, Fort Tenedos, telegraphs to me, 6th April—General and Staff all well. Pearson and Ekowe garrison now encamped 15 miles hence, and will come here to-morrow. Transport *Clyde* wrecked off Dyer's Island and sunk; all on board safe and unhurt; troops, taken on board Her Majeſty's ship *Tamar*, proceed to

Durban to-day. All other Infantry reinforcements landed at Durban; also 17th Lancers by *England*. Loss of Buller's men at Hlobane less than newspapers reported. Telegram from Maritzburg 3 p.m. to-day states: General, Commodore, and Staff arrived at Fort Pearson noon to-day."

Lord VIVIAN: Has any telegram been received from Colonel Wood's force?

Earl CADOGAN: I have read all that have been received at the Colonial Office.

The Duke of ARGYLL: Has any list been received at the War Office of the casualties which have occurred in Colonel Wood's column?

Earl CADOGAN: I am not aware that any such list has been received.

The Earl of CAMPERDOWN: It is stated in the newspapers that there has been a loss of seven officers and 400 men in that column. Is there any official Report confirmatory of that statement?

Earl CADOGAN: The only telegrams which have reached the Colonial Office are those which I have just read.

The Duke of ARGYLL: Some accounts that have not come to the Colonial Office may have reached the War Office.

Viscount BURY: The news received at the War Office does not purport to come from Colonel Wood. Information from another source has reached the War Office; but as we have no details, I can give your Lordships no further information.

RIVERS CONSERVANCY BILL.—(No. 20.)

(*The Lord President.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Lord President.*)

The Earl of REDESDALE said, that the Bill as it stood embodied the extraordinary proposition that the property of one person was to be taxed for the improvement of that of another. The Bill gave compulsory powers for the removal of impediments in the channels of rivers; and full compensation was to be made for injury sustained by any persons by reason of the exercise of such powers by the conservancy board. The proprietors of upper lands were not, however, to be so dealt with. It was assumed that the upland drainage carried on by them had the effect of flooding lowlands, and they were to be taxed under the Bill for having done that which they were legally entitled to do. If their Lordships would refer to the Report of the Committee, they would find that the eminent engineer, Mr. Rawlinson, dissented from the conclusions of the Committee. The proposition was so monstrous tha the thought it could not be persevered with; and he had, acccordingly, given Notice of a Resolution which he would now move—

Amendment *moved*, to leave out all the words after ("That,") and insert—

"If A having ten years ago purchased a property in the uplands of a river conservancy district in the valuation of which the liability to a charge for a conservancy rate could not have been included, and B having in the same year purchased a property in the flood lands of the same district in the valuation of which the damage from floods must have been necessarily estimated, it will be unreasonable and unjust that A's property should be taxed for the improvement of B's property, when his lands cannot receive any benefit from the outlay to which under the Rivers Conservancy Bill he is to be compelled to contribute."—(*The Earl of Redesdale.*)

The Earl of SANDWICH thought the noble Earl the Chairman of Committees entirely overlooked the fact that the floods from which the lowlands suffered were caused in a great degree by the drainage of the uplands; and he was of opinion, therefore, that the proposition to tax the proprietors of the latter class of lands was a just one.

The Earl of KIMBERLEY said, he felt considerable hesitation in opposing any proposition which came before their Lordships with such high recommendations in favour of the proposition to tax the proprietors of the uplands. He was aware that, with the exception of Mr. Rawlinson, all the engineers who had been examined before the Committee of their Lordships' House were of opinion that the drainage of the uplands was the cause of the flooding of the lowlands. Mr. Rawlinson, however, who was a high authority on such subjects, dissented from that opinion; and for himself he (the Earl of Kimberley), notwithstanding the high authority for that proposition, begged to dissent from it. This Bill went too far in the way of taxation, and he could not but think a moment like the present, when there was such distress in the agricultural districts, was an awkward one for promoting a measure which would impose additional taxation on the occupiers of land. The works which were to be executed under the Bill were of a permanent character, and he thought that if this charge was to be imposed at all the burden should be borne wholly by the owner.

THE MARQUESS OF HUNTLY said, the criticism of the noble Earl went to the principle of the Bill; but that had been accepted when the House assented to the second reading, whereas the objections which had been raised were properly matters for consideration in Committee. He saw no reason whatever for excluding the uplands from the taxation necessary for carrying out the Bill. He hoped the House would not be led into an attempt to solve such an alphabetical conundrum as that contained in the Amendment of the noble Earl (the Earl of Redesdale), and he trusted the Government would not give way.

THE DUKE OF RICHMOND AND GORDON said, there could be no doubt that the agricultural depression existing at the present moment was very severe; but, with reference to the argument that this made it a very inopportune moment to propose an additional burden on the owners and occupiers of land, it should be remembered that the Government had brought in this Bill only after they had been pressed over and over again to take action on the Report of the Select Committee. The Government could not allow the inquiry to remain a dead letter, and he had met some of the objections which had been made on the second reading of the Bill by Amendments which he would move in Committee. But he could not consent to the general proposition which his noble Friend the Chairman of Committees wanted to establish. His noble Friend's Resolution was an abstract one, and would in no way change the Bill. His noble Friend's proposition seemed to be that an owner of property should not be subject to any tax to which his property was not subject when he became possessed of it. The evidence taken by the Select Committee showed that the increased drainage of the upper lands brought down an amount of silt and stuff to the channel of the river in its course through the lowlands, and for that reason it was thought but just that the proprietors of the upper lands should be included in the area of taxation.

THE DUKE OF SOMERSET said, the Bill opened up a new area of taxation, and it imposed new taxes; and their expenditure was to be, to a certain extent, controlled by the Local Government Board. He hoped, therefore, when it reached the other House of Parliament, it would be carefully gone into by a Committee. The Bill was, moreover, to be put into operation by the objectionable process of Provisional Orders, also under the discretion of the Local Government Board. It had often been said by those who sat opposite that legislation by Provisional Order ought to be very carefully watched, and he thought that remark was specially applicable to the present case. It was true that these Provisional Orders were to be laid upon the Table of the House; but who would care to take up the questions which would be involved in these Provisional Orders when laid on the Table of the House? And even if anyone was found it would be impossible for the House to inquire into such details; therefore, the Local Government Board would have an absolute uncontrolled power.

THE MARQUESS OF RIPON demurred to the noble Duke's description of the Provisional Order system. It had this great advantage—that all action under the Bill was to be initiated by local inquiry, and that nothing could be done by the Board itself, until after local inquiry had been made. Nor was it strictly accurate to say that the Provisional Order was merely laid on the Table of the House. It had to be embodied in a Bill, against which the persons affected might be heard before a Committee in the same way as on an ordinary Private Bill. The Committee recommended proceeding by Provisional Order to save expense to the parties, and to gain the advantage of an inquiry in the locality interested instead of a general inquiry before a Committee of Parliament. As to the extent to which the uplands caused the floods, the weight of evidence, both professional and practical, was entirely against the view of the noble Earl the Chairman of Committees. His noble Friend took the same view as Mr. Rawlinson; but, with all respect to that gentleman, he must point out that he was the only one of the professional witnesses who held that view. Eleven out of the 12 witnesses who spoke to this point expressed an opinion that the drainage from the uplands did lead to the dangerous floods which had recently prevailed.

The Duke of MANCHESTER thought it was quite necessary that the Government should deal with the question; but he should have preferred that a conservancy board should have been made compulsory on every river, with somewhat less extensive powers than were given by this Bill. But he thought it was entirely unjust that the uplands should be rated for the improvement of the lowlands. He protested against the view that the floods were produced by underground drainage; in his opinion, they were due only to the wet seasons which had prevailed of late. He maintained that floods were a benefit to meadows, provided they did not remain upon them too long. The meadows derived benefit from the silt and other dressings brought down from the higher grounds, and therefore should pay for the benefit they derived; and it was hard that the uplands should have to pay for benefits with which they parted. It was quite true that 11 out of the 12 professional witnesses who were called had expressed an opinion that the drainage from the uplands led to the floods; but only one of the 11 (Mr. Bailey Denton) ventured upon giving reasons for that opinion.

The Earl of REDESDALE held that his arguments had not been controverted. At the same time, it was not his intention to press the matter to the extent of opposing the Bill getting into Committee; and he should, therefore, withdraw his Amendment.

Amendment (by leave of the House) *withdrawn.*

Then the Original Motion *agreed to.*

House in Committee accordingly.

Clauses 1 and 2 (Preliminary) *agreed to.*

Proceedings for Establishing River Conservancy Boards.

Clause 3 (Power to establish conservancy board), *agreed to.*

Clause 4 (Local inquiry on application for establishment of board), *agreed to.*

Clause 5 (Provisional Order for establishment of board).

The Marquess of RIPON said, he wished the system of election to the conservancy boards to be as elastic as possible; and, therefore, he wished to give power to the local authorities to sub-divide the present conservancy districts into sub-districts, if it should be considered that it would be more convenient than the mode of election by sanitary authorities.

Amendment *moved*, in line 14, after ("board,") insert—

("dividing the district, if they think fit, into sub-districts, establishing, if they think fit, sub-district boards in such sub-districts.")

Earl STANHOPE supported the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

The Duke of MANCHESTER said, he contended that the lower grounds derived benefit from the silt and manurial deposits brought down from the upper lands, and therefore ought to be rated proportionately; and he, therefore, proposed to insert in that portion of the clause which directed the definition of the lands which were to be deemed flood lands, intermediate lands, and uplands for the purposes of the Order, and in what proportion the intermediate lands and uplands were to contribute to the rates, the words "according to the benefit to be derived." He intended this by way of instruction to Local Government Boards in setting up a conservancy board.

Amendment *moved*, page 2, line 18, after ("proportion,") insert ("according to the benefit to be derived.")—(*The Duke of Manchester.*)

The Duke of RICHMOND and GORDON asked how "the benefit to be derived" was to be ascertained by the Local Government Board when setting up the conservancy board?

The Duke of MANCHESTER said, he did not care to press his Amendment.

The Earl of KIMBERLEY said, he was surprised that the noble Duke should be so ready to abandon his Amendment. The principle of the Bill was that some benefit was to be derived by those who were to be taxed, and it was well known that meadow lands usually derived great benefit from floods, if not too long continued. The Lord President asked how the Local Government could know what the benefit was to be in any particular case, and, therefore, in setting up a conservancy board, could not assess it?

THE DUKE OF RICHMOND AND GORDON said, the Local Government Board were to set up a conservancy board; but it was impossible that the Board could beforehand declare what would be the benefit to be derived by the persons who were to be rated.

THE EARL OF KIMBERLEY: Therefore, the Amendment of the noble Duke lays down the only sound principle on which the Local Government Board could act.

THE MARQUESS OF RIPON said, the Act of Henry VIII. laid down that only those lands were to be taxed that derived direct benefit—that was to say, the lowlands, and that was the meaning of the Amendment, which raised the whole question whether uplands were to be taxed or not.

LORD SELBORNE said, that, as he read the Bill, the question involved was to be determined, in the first instance, by the Local Government Board.

THE DUKE OF RICHMOND AND GORDON said, they were to do so by means of a Provisional Order; but the Local Government Board could not determine the character of the benefit to be derived before a conservancy board had been set up.

THE EARL OF CAMPERDOWN said, the clause appeared to devolve upon the Local Government Board the duty of defining the lands which were to be deemed "flood lands," "intermediate lands," and "uplands," for the purposes of the Order. In what part of the Bill was any principle laid down on which the Local Government Board were to act?

THE DUKE OF MANCHESTER said, the Board would have to apportion the area to the three different classes of land, and he desired to suggest the principle on which the proportions should be determined.

On Question? Their Lordships *divided*:—Contents 20; Not-Contents 42: Majority 22.

The Earl of Kimberley

CONTENTS.

Manchester, D. [*Teller.*]
Somerset, D.

Bathurst, E.
Camperdown, E. [*Teller.*]
Ducie, E.
Kimberley, E.
Lucan, E.
Northbrook, E.
Redesdale, E.
Selkirk, E.

Canterbury, V.

Ellenborough, L.
Foley, L.
Forester, L.
Monson, L.
Northwick, L.
Poltimore, L.
Selborne, L.
Strafford, L. (*V. Enfield.*)
Truro, L.

NOT-CONTENTS.

Cairns, E. (*L. Chancellor.*)

Bedford, D.
Northumberland, D.
Richmond, D.

Ailesbury, M.
Lansdowne, M.
Ripon, M.
Salisbury, M.

Beaconsfield, E.
Beauchamp, E.
Caledon, E.
Cowper, E.
Sandwich, E.
Stanhope, E.

Cranbrook, V.
Hawarden, V. [*Teller.*]
Melville, V.
Strathallan, V.
Templetown, V.

Ashford, L. (*V. Bury.*)
Auckland, L.

Brodrick, L. (*V. Midleton.*)
Colchester, L.
Colville of Culross, L.
Delamere, L.
Denman, L.
de Ros, L. [*Teller.*]
Gordon of Drumearn, L.
Granard, L. (*E. Granard.*)
Hampton, L.
Meldrum, L. (*M. Huntly.*)
Norton, L.
Ormonde, L. (*M. Ormonde.*)
Rodney, L.
Saltoun, L.
Silchester, L. (*E. Longford.*)
Stewart of Garlies, L. (*E. Galloway.*)
Sudeley, L.
Thurlow, L.
Ventry, L.
Windsor, L.
Winmarleigh, L.

Resolved in the *Negative.*

THE DUKE OF MANCHESTER then moved, in line 18, after ("the,") to insert ("floodlands and,") and leave out ("and uplands").

On Question, That the words proposed to be left out stand part of the Clause? Their Lordships *divided*:—Contents 41; Not-Contents 19: Majority 22.

CONTENTS.

Cairns, E. (*L. Chancellor.*)

Bedford, D.
Northumberland, D.
Richmond, D.

Ailesbury, M.
Lansdowne, M.
Ripon, M.
Salisbury, M.

Beaconsfield, E.
Beauchamp, E.
Caledon, E.
Cowper, E.
Sandwich, E.
Stanhope, E.

Cranbrook, V.
Hardinge, V. [*Teller.*]
Melville, V.
Strathallan, V.
Templetown, V.

Ashford, L. (*V. Bury.*)
Auckland, L.
Brodrick, L. (*V. Midleton.*)
Colville of Culross, L.
Delamere, L.
Denman, L.
de Ros, L. [*Teller.*]
Gordon of Drumearn, L.
Granard, L. (*E. Granard.*)
Hampton, L.
Meldrum, L. (*M. Huntly.*)
Norton, L.
Ormonde, L. (*M. Ormonde.*)
Rodney, L.
Saltoun, L.
Silchester, L. (*E. Longford.*)
Stewart of Garlies, L. (*E. Galloway.*)
Sudeley, L.
Thurlow, L.
Ventry, L.
Windsor, L.
Winmarleigh, L.

NOT-CONTENTS.

Manchester, D. [*Teller.*]
Somerset, D.

Bathurst, E.
Camperdown, E. [*Teller.*]
Kimberley, E.
Lucan, E.
Northbrook, E.
Redesdale, E.
Selkirk, E.
Canterbury, V.

Colchester, L.
Foley, L.
Forester, L.
Monson, L.
Northwick, L.
Poltimore, L.
Selborne, L.
Strafford, L. (*V. Enfield.*)
Truro, L.

Resolved in the *Negative.*

The Marquess of HUNTLY moved, at the end of the clause, to insert the following Proviso:—

("Provision may be made in any such order for contribution by any urban sanitary authority within the limits of a conservancy district of a gross sum to be applied towards the expenses of the works of the conservancy board of such district in exoneration of the district of such urban sanitary authority, or any part thereof, from all further liability to be rated for the purposes of such works, and for regulating the time and manner in which such gross sum shall be raised and paid.")

The Duke of RICHMOND and GORDON could not accept the Amendment. It would be impossible to say what the gross sum would be of the works undertaken by the conservancy board.

Amendment (by leave of the Committee), *withdrawn.*

Clause *agreed to.*

Constitution of Conservancy Board.

Clause 6 (Constitution of conservancy board.)

Earl COWPER said, the proposition of the clause was that a conservancy board should consist of life members and elective members, the life members to be not less than one-third of the whole. Under these words, the board might consist entirely of life members, which would be very objectionable. His opinion was that all the members of the board should be elective. He would propose Amendments which would have the effect of enacting that the board should consist of elective members only. The noble Earl accordingly moved, in line 38, to leave out ("life members and").

The Duke of RICHMOND and GORDON said, it would be a great advantage to have life members, as the boards would have to consider questions of engineering and draining, and therefore they should have a permanency of character; they should not be shifting bodies, without any experience of the work to be done. This was the constitution of the Commissioners of Sewage.

The Marquess of RIPON had no objection to the boards being, to a certain extent permanent; and he hoped that his noble Friend (Earl Cowper) would not press his Amendment. He would suggest the insertion of words to the effect that the life members should not be more than one-third of the total number.

Amendment (by leave of the Committee), *withdrawn.*

Clause *agreed to.*

Clause 7 (Board to be a body corporate), *agreed to.*

Duties and Powers of Conservancy Board.

Clauses 8 to 21, inclusive, *agreed to,* with Amendments.

Rates.

Clauses 22 to 24, inclusive, *agreed to,* with Amendments.

Borrowing.

Clause 25 (Power to conservancy board to borrow on rates, 38 and 39 Vict., 83), *agreed to.*

Clause 26 (Power to discharge loan by sinking fund).

The Marquess of HUNTLY proposed to insert a new clause, giving to the owners of three-fourths, at least, of the lands charged, the power of appeal to the Local Government Board.

The Duke of RICHMOND and GORDON objected to the clause, pointing out that sufficient provision for appeal was already contained in the Bill.

Amendment (by leave of the Committee) *withdrawn.*

Then the remaining clauses *agreed to,* with Amendments.

The Report of the Amendments to be received on *Thursday* the 1*st of May;* and Bill to be *printed* as amended. (No. 59.)

SOUTH AFRICA—THE ZULU WAR—FURTHER TELEGRAMS.

OBSERVATIONS.

VISCOUNT BURY: My Lords, since the noble Earl the Under Secretary of State for the Colonies (Earl Cadogan) read the telegrams which we had received from the Cape, the following further telegram has been received at the War Office; and as it contains the names of the officers killed in the action with Colonel Wood, perhaps your Lordships will permit me to read it. It is from Colonel Bellairs, is dated from Durban, and is as follows:—

"St. Vincent, April 22.

"From Colonel Bellairs, D.A.G., Durban, to Secretary of State for War, London.

"Intelligence of important victories gained by Lord Chelmsford and Colonel Wood having reached me, have taken it upon myself to arrange for mail to leave Cape Town one day earlier, and to call specially at St. Vincent, enabling you to receive the news earlier than *viâ* Madeira. Colonel Wood's despatches state that on the 29th the Inhlobani successfully attacked. Some thousand cattle taken by Mounted Corps and Natives; but Zulus, 20,000 strong, coming up, we suffered considerable losses, and cattle were retaken. Weatherley's corps cut off and all killed, with the exception of Captain Denison and a few men; also three fives Frontier Horse, under Captain Barton, Coldstream Guards, only seven escaping. Eleven officers and 80 men are returned killed, including Captains Campbell and Barton, Coldstream Guards; Lieutenant Williams, 58th; Colonel Weatherley, Captain Rice Hamilton, Lieutenants von Steiten, Cronlys, Pool, Weatherley, and Messrs. Piet Uys and Lloyd, of Colonial Corps. Colonel Wood's horse killed under him on 29th. The Zulu army, the regiment of which had come from Ulundi, attacked Kambulama camp. Action commenced 1.30 p.m.; lasted four hours. Enemy driven off and pursued by mounted troops seven miles. Their loss very heavy, 500 bodies lying close into camp; 300 firearms, including several Martini-Henry rifles, picked up. Enemy advanced close up, some even penetrating into cattle laager. Our casualties 80 killed, 2 wounded. Lieutenants Nicolson, R.A., and Bright, 90th, killed; Major Hackett and Lieutenant Smith, 90th, dangerously wounded; Captains Gardner, 14th Hussars, Cox, and Persse, 13th Foot, slightly wounded. Natives nearly all deserted. Unymana, King's Minister and chief commander, did not come under fire.

"Relieving column under Lord Chelmsford laagered near the Gingihlovo on afternoon of 1st of April. Very heavy rain throughout evening and night. Zulus hovering about during evening. 6 a.m. on the 2nd, Zulus attacked laager, each side in succession, two distinct forces were employed. Enemy advanced in most courageous manner, but never got within 20 yards of shelter trench. At 7.30 a.m. the attack was repulsed, and the enemy retired precipitately, followed for some miles by the Mounted Infantry Volunteers and Natives, under Barrow, and Barton's and Nettleton's Battalion of Native Contingent's sabres of the mounted Infantry, did great execution. The fight was witnessed from Ekowe, and Pearson flashed signals congratulating General on success. Casualties:—Lieutenant Johnson, Privates Smith and Lawrence, 99th; Private R. Marshall, 91st; Private J. J. Pratt, 60th Rifles, killed. Colonel Northey, 60th Rifles, and Dr. Longfield, of Her Majesty's ship *Tenedos*, dangerously wounded. Major Barrow, of the 19th Hussars, and Captain Hinxman, 57th, slightly wounded. Twenty-nine soldiers and sailors wounded; one Native killed and 10 wounded. 471 bodies of Zulus lying within 1,000 yards of the laager, the long grass and bushes helped in approach and retreat. Total loss must have been double. Portions of 11 regiments are known to have taken part—viz., Ngoxamoski, Umamsityu, Unanbonamdi, Zulwana, Nokenke, Nodwena, and others. Prisoners state that 195 companies were engaged, which, at 60 men each, would give 11,000. Dabulemanze, mounted, led the final attack. Somapo was in chief command. Lord Chelmsford intends to abandon Ekowe, both roads being so difficult of approach. He will establish a permanent post on the coast road. Gingihlovo laager will be reduced to permit being held by a garrison. The General goes to Ekowe tomorrow with three regiments and carts. Prisoners state that messengers arrived yesterday with news of Wood's victory of 29th."

House adjourned at half past Seven o'clock, to Thursday next, a quarter before Five o'clock.

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HOUSE OF COMMONS,

Tuesday, 22nd April, 1879.

MINUTES.]—SELECT COMMITTEE—Sugar Industries, *appointed.*

SUPPLY—*considered in Committee—Resolutions* [April 21] *reported.*

PRIVATE BILL (*by Order*)—*Second Reading*—West Kent Main Sewerage [Lords]*.

PUBLIC BILL—*Second Reading*—Companies Acts Amendment [102].

QUESTIONS.

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SOUTH AFRICA—THE ZULU WAR—DESPATCHES.—QUESTIONS.

MR. W. E. FORSTER: I hope, Sir, I may be allowed to anticipate the usual order of the Questions, and ask the Secretary of State for the Colonies, Whether he can satisfy the anxiety of the House by giving us the actual official information received by the Government to-day from the Cape?

SIR MICHAEL HICKS-BEACH: The telegram has already been published in the Press this afternoon by my right hon. and gallant Friend the Secretary of State for War; but probably the House will desire me to read it. I have also a telegram addressed to myself from Government House, Cape Town, giving information on other points. I will read it first, as it is the shorter one. It is dated Cape Town, April 7th, 1879—

"No news from High Commissioner's camp since last mail. Postmaster at Pietermaritzburg telegraphed to Under Colonial Secretary, Cape Town, 4th April: High Commissioner and Staff 30 miles beyond Newcastle, on road to Standerton, 31st March; all well. Lord Chelmsford has successfully relieved Ekowe, and brought away garrison safely. Relieving force under Lord Chelmsford left Fort Tenedos 29th March. Attacked by enemy, about 12,000 strong, at Gingihlovo, 2nd April; completely defeated them. General continued march to Ekowe with part of column; reached it 3rd April. I understand particulars of engagement have been telegraphed by Sir Henry Bulwer."

That telegram I will read shortly—

"Colonel Hopton, Fort Tenedos, telegraphs to me, 6th April—General and Staff all well. Pearson and Ekowe garrison now encamped 15 miles hence, and will come here to-morrow. Transport *Clyde* wrecked off Dyer's Island and sunk; all on board safe and unhurt; troops taken on board Her Majesty's ship *Tamar;* proceed to Durban to-day; all other Infantry re-inforcements landed at Durban; also 17th Lancers by *England.* Loss of Buller's men at Hlobane less than newspapers reported. Telegram from Maritzburg, 3 p.m. to-day, states: General, Commodore, and Staff arrived at Fort Pearson noon to-day."

Then there is a telegram from the Colonial Secretary, Cape Town, to myself, dated 7th April 1879—

"The Lieutenant Governor of Natal, Sir Henry Bulwer, desires me to communicate the following message, which he has received from Colonel Hopton, at Fort Pearson, Tugela River:—'I am directed by Lord Chelmsford to send the following communication:—The relieving column under Lord Chelmsford formed laager near Gingihlovo on the afternoon of the 1st April. Very heavy rain throughout evening and night. At 6 a.m. on the 2nd, Zulus attacked laager, on each side in succession—two distinct forces employed. Enemy advanced in most courageous manner, but never got within 20 yards of shelter trench. At 7.30 a.m. the attack was repulsed, and the enemy retired precipitately, followed for some miles by mounted Infantry and Natives under Barrow and Barton, and Nettleton's regiment of Natal contingent. Sabres of the mounted Infantry did great execution. The fight was witnessed from Ekowe, and Colonel Pearson, flashing signals, congratulated General on success. Casualties—Lieutenant Johnson, Privates J. Smith and Lawrence, 99th, Private R. Marshall, 91st, and Private J. J. Pratt, 60th Rifles, killed. Colonel Northey, 60th Rifles, and Dr. Longfield, of Her Majesty's ship *Tenedos*, dangerously wounded. Major Barrow, of the 19th Hussars, and Captain Hinxman, 57th, slightly wounded. Twenty soldiers and sailors wounded; one Native killed, and 10 wounded. There were 471 bodies of Zulus counted within 1,000 yards of the laager. The long grass and bushes helped their approach and assisted their retreat. Total loss must have been double. Portions of 11 regiments are known to have taken part—viz., Ngoxamonosi, Uvemmsityu, Unambonambu, Zulwana, Nokenka, Nodwena, and others. Prisoners state that 195 companies were engaged, which, at 60 men each, would give 11,000. Dabulmanzu, mounted, led the final attack. Somapo was in chief command. Lord Chelmsford intends to abandon Ekowe, both roads being very difficult of approach. He will establish a permanent post on the coast road. Gingihlovo laager will be reduced to permit its being held by a garrison. The General goes to Ekowe to-morrow with three regiments and carts. Prisoners state that messengers arrived yesterday with news of Colonel Wood's victory on the 29th.

"Since the foregoing message was received, further intelligence has arrived from the Natal Government that Lord Chelmsford has relieved Colonel Pearson at Ekowe, and has returned with the whole garrison to his camp."

MR. W. E. FORSTER: May I ask, in regard to the news which has appeared in the different newspapers as to the battle at Luneberg with Colonel Wood's division, and which leaves some doubt, as to whether it is a new attack, or whether it is a more detailed account of the attack of which we have already heard?

COLONEL STANLEY; I have not compared the telegram in the newspapers with the official account; but I am inclined to think, and I have reason to believe, that it refers to the attack of which we have already heard.

Afterwards,

COLONEL STANLEY said: With the permission of the House, I would wish to supplement the statement of my right hon. Friend (Sir Michael Hicks-Beach). I was under the impression that the telegram I received was the same as that sent to the Colonial Office; but I find this is not so. I have received this morning from Colonel Bellairs, the Deputy Adjutant General at Durban, the following telegram:—

> "Intelligence of important victories gained by Lord Chelmsford and Colonel Wood having reached me, have taken it upon myself to arrange for mail to leave Cape Town one day earlier, and to call specially at St. Vincent, enabling you to receive the news earlier than *viâ* Madeira. Colonel Wood's despatches state that on the 29th Inhlobani successfully attacked. Some thousand cattle taken by mounted Corps and Natives; but Zulus, 20,000 strong, coming up, we suffered considerable losses, and cattle were re-taken. Weatherley's corps cut up and all killed, with the exception of Captain Denison and a few men; also three fives Frontier Horse, under Captain Barton, Coldstream Guards, only seven escaping. Eleven officers and 80 men are returned killed, including Captains Campbell and Barton, Coldstream Guards; Lieutenant Williams, 58th; Colonel Weatherley, Captain Rice Hamilton, Lieutenants Von Steiten, Cronlys, Pool, and Weatherley; and Messrs. Piet Uys and Lloyd, of Colonial Corps. Colonel Wood's horse killed under him on 29th. The Zulu Army, the regiment of which had come from Ulundi, attacked Kambulama camp. Action commenced 1.30 p.m.; lasted four hours; enemy driven off, and pursued by mounted troops seven miles. Their loss very heavy, 500 bodies lying close into camp; 300 fire-arms, including several Martini-Henry rifles, picked up. Enemy advanced close up, some even penetrating into cattle laager. Our casualties, 80 killed, two wounded. Lieutenants Nicolson, R.A., and Bright, 90th, killed; Major Hackett and Lieutenant Smith, 90th, dangerously wounded; Captains Gardner, 14th Hussars, Cox and Persse, 13th Foot, slightly wounded. Natives nearly all deserted. Unymana, King's Minister, and chief commander, did not come under fire."

The remainder of the telegram is what my right hon. Friend has read.

PUBLIC GRANTS (SCOTLAND)—POOR LAW AND PUBLIC HEALTH ACTS.

QUESTION.

MR. M'LAREN asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the great proportional disparity which exists between the grants made to England, Ireland, and Scotland for medical officers and medical purposes under the Poor Law and Public Health Acts; for schoolmasters and schoolmistresses in Workhouse schools; for Poor Law auditors and for public vaccinators; the several amounts for these purposes, according to the Estimates for the current year, being for England £284,849; for Ireland £106,862; and for Scotland £10,200; whether his attention has been called to the Return, No. 453 of 1877, showing that the sums paid into the National Exchequer for that year were for England £51,101,890; for Ireland £6,664,724; and for Scotland £7,757,213; and, whether he will, in the Poor Law (Scotland) Bill now before the House, provide that Scotland shall be placed on a footing of proportional equality with England and Ireland, either according to the difference in the population of each country, or to the difference in the revenue severally contributed by them to the National Exchequer?

THE CHANCELLOR OF THE EXCHEQUER: I really think that a Question of this kind would be far better brought forward on the discussion of the Estimates, or in connection with the Bill to which the hon. Member has referred. It is quite impossible, in answering a Question, to go into all the matters that have been mentioned. I may say generally, however, in regard to medical officers and relief, that the Treasury promised some time ago to put the Scotch medical officers and relief in the Estimates upon the same footing as in England and Ireland as soon as the appointment of medical officers is made compulsory in Scotland, and placed on the same footing as in England. The hon. Gentleman is aware that that object is intended to be effected by the Bill, which is now in the hands of hon. Members, for amending the Scotch Poor Law. When that is done, the Estimates will be accommodated to the new state of things. With regard to schoolmasters and schoolmistresses in workhouse schools, it has not been the practice in Scotland to encourage teaching inside such schools, but aid is rather given to teaching them outside the workhouse; and with regard to the Poor Law officers, the hon. Gentleman will see that the Poor Law Amendment Bill proposes to put the Poor Law officers in Scotland on precisely the same footing as in England. It would obviously be inconvenient to discuss these questions at present; but I may be allowed to suggest to the hon. Member that he should raise the points at issue in connection with either the Poor Law Bill or the Estimates.

ORDNANCE—SELECT COMMITTEE.

QUESTION.

CAPTAIN **PRICE** asked the Surveyor General of Ordnance, Whether it is the intention of the Government to appoint an Ordnance Select Committee; and, if so, can he give the names of the Members; can he state what are the principal questions to be submitted to it for investigation; and, will the reason for the bursting of the "Thunderer's" gun be one of these?

LORD **EUSTACE CECIL**: It is the intention of the Government to appoint a Committee to consist of four Artillery officers, including one who shall represent the India Office, two Naval officers, and one Engineer officer. The names are not yet decided upon. The duties of the Committee will be to take up questions now before the Heavy Gun Committee, and also the subject of breech-loading for heavy guns. The Committee will further consider in what way, and to what extent, the experiments suggested by the *Thunderer* Committee should be carried out?

SOUTH AFRICA—THE ZULU WAR—THE DEFEAT AT ISANDLANA—H.R.H. THE COMMANDER IN CHIEF AND LORD CHELMSFORD.

QUESTION.

MR. **E. JENKINS** asked the Secretary of State for War, Whether it is true that the following telegram, stated to have been published by Lord Chelmsford, was forwarded by His Royal Highness the Commander in Chief to Lord Chelmsford on February 13th, soon after the receipt of the news in this Country of the disaster at Isandlana:—

> "Duke of Cambridge, London, to Lord Chelmsford, Pietermaritzburg. — Have heard by telegraph of events occurred. Grieved for 24th and others who have fallen victims. Fullest confidence in regiment, and am satisfied that you have done and will continue to do everything that is right. Strong re-inforcements of all arms ordered to embark at once.—Feb. 13th.

COLONEL **STANLEY**: Yes, Sir; it is quite true.

AFGHANISTAN—THE WAR—ADVANCE ON CABUL.—QUESTIONS.

MR. **FAWCETT** asked Mr. Chancellor of the Exchequer, When the advance of General Maude's division to Gandamak was ordered, and when the home authorities first became aware that an order for such an advance had been given; and, further, when the Government will be able to make their promised statement with regard to the position of affairs in Afghanistan?

MR. **DILLWYN** asked Mr. Chancellor of the Exchequer, Whether and when the advance of any portion of General Maude's division in the direction of Cabul from Jellalabad has been communicated to the Home Government by the Indian authorities; and, if so, whether any reply has been sent off, and what is the tenor thereof?

THE **CHANCELLOR** OF THE **EXCHEQUER**: I am sorry that yesterday I was asked the Question so suddenly that I forgot a telegram which, had I remembered it, would have enabled me to answer at once what I can answer now. I refer to a telegram received from the Viceroy on the 3rd of April, on the strength of which I made the statement which I made a little time ago. He acknowledges the Secretary of State's of the 2nd, and he says—

> "No advance on Cabul contemplated without full previous reference; but, to give negotiations a reasonable chance of success, troops must be ready for all possible contingencies. Hence concentration of troops at the front and the newspaper reports. It may also be necessary to advance all or part of General Maude's division to Gandamak or other elevated ground in the Jellalabad district, as Jellalabad is too hot for troops in the summer months."

That was the statement made, and the House will see from it that the advance to Gandamak was made for sanitary reasons. Instructions were given strictly from home, as I have already stated, that no advance upon Cabul should take place without previous consent from home, and no such consent has been asked. With reference to the latter part of the hon. Member for Hackney's Question, I can only say that the present position of affairs is this: that Major Cavagnari is now at Gandamak, and that messages are still passing between him and Yakoob Khan. Of course, it is impossible to enter into the details of those negotiations until they are brought to a termination. But we shall be glad to make some statement to the House as soon as we can do so.

MOTIONS.

PARLIAMENT—SELECT COMMITTEES (NOMINATION).

MOTION FOR A COMMITTEE.

MR. ISAAC, in rising to call attention to the present system of nominating Members to serve on Select Committees other than on Private Bills; and to move—

> "That a Committee be appointed, to consist of Seven Members, to be called the Committee of Nomination for Select Committees on Public Bills and other matters; that such Committee shall, unless otherwise ordered by the House, nominate Members to serve on all Select Committees to which Public Bills or other matters may be referred,"

said, that the system was unsatisfactory to all those who were deeply interested in the appointment of Members to serve on these Committees. It was unsatisfactory to a great many hon. Members who were called upon to serve on the Committees; and it was still more disapproved by the very large number of hon. Members who found that they were never called upon to serve under any circumstances whatever. The existing system induced hon. Members to make the Committees much larger in point of numbers than was necessary, and the consequence was that they were in many cases almost ineffectual. A great many Members appointed to Committees did not attend their meetings, and other Gentlemen only found their way into the Committee Room when divisions upon any important point were about to be taken. Again, some Members of the House were put on four or five Committees sitting at the same time, while others never appeared upon one. He had spoken to several Members of the House, and he found that in large Committees they obtained but a small attendance of Members, and in one Committee consisting of 13 Members he found there was not the full complement on the first day, on the second day there were only 10, and on the third day the number had dwindled down to nine, and that only five of the 13 had attended all the meetings of this Committee, thus clearly proving that small numbers were preferable to large. In large Committees of 21, where they, perhaps, got 10 persons to take their seats, he thought it was doubtful whether the Committee could really be intrusted with the important questions that came before it; and that was certainly the case in a Select Committee of 21, who met to consider the important Business of the House, and, he might say, of the country generally. Half the Members placed on the Committee never made their appearance in the Committee Room, and he would ask if these Members were performing their Parliamentary duties? It would be easy enough if fulfilling their Parliamentary duties simply consisted in being in their seats in the House and following the respective Whips into the Lobbies; but that was not the only part of a Member's Parliamentary duty. A very well-known and much-respected Member of that House (Mr. Poulett Thompson) some 40 years ago, in bringing forward a Motion with reference to the appointment of the Committee of Selection, said—

> "No man had a right to take upon himself the office of a Member of Parliament, unless he was prepared to discharge all the duties connected with it—unless he was willing, however irksome or disagreeable the task might be, to do that which the House called upon him to perform, which in cases of this kind was one of the most important duties he could have to discharge."

Although he was comparatively inexperienced as a Member of that House, he had occupied a seat in it sufficiently long to be able to appreciate the inconveniences of the present system, under which Members were nominated on Select Committees, many of whom merely entered the room when divisions were about to take place. He had not presumed to address the House on this subject without having sought the opinions of a large number of Members in reference to it, and he had found that the general opinion was that the present system was most unsatisfactory, and that it was desirable that some change should take place; and although they were not able to assist by advising him how the present system should be improved, they had assured him that whatever change might be made must be acceptable to the House. He did not propose to take away from the House, or interfere in the slightest degree, with any of the Privileges of the House. His first idea was to propose that Committees for Public Business should be nominated by the Committee of Selection; and he consulted with the right hon. Gentleman the Member for the University of Oxford (Mr. Mowbray), who was Chairman of the Committee of Selection, and several Members of the Committee, and he was glad to know those Gentlemen were willing to undertake any duties which the House might ask them. He, however, found that it would not be possible to impose these new duties on the Committee of Selection, the functions of the two sets of Committees being so different; the Private Bill Committees being mostly judicial, and having to definitely decide on matters before them; whereas those on public matters only had to take evidence and report. He had also considered the great increase in both the Public and Private Business of the House during the last 20 years; and therefore he had decided to ask for a new Committee. He thought to ask the House to add this work to that already performed by the old Committee would be placing that Committee in the position they would not like to be placed in. It would, no doubt, be said that they would find it difficult to get hon. Members to serve on such Committee of Nomination; though he was bold enough to say that there would be no difficulty in finding Members of the House to serve on any Committee the House might require them. Any change in the present unsatisfactory state of the nomination of Committees, however simple, would be a great advantage to the House and in the carrying out of the Public Business of the country. It occurred to him, as it would not be advisable to ask for the old Committee to act in this new capacity, Parliament would not object to having an entirely new Committee; but then there arose the difficulty as to how the Committee should be composed. He contended that at the present moment they really did not know how those Committees were appointed; for it was, he understood, almost entirely placed in the hands of hon. Members of whom he desired to speak in terms of the highest praise—the right hon. Gentleman the Member for Clackmannan (Mr. Adam) and the hon. Baronet the Member for Mid-Kent (Sir William Hart Dyke), who performed their arduous duties so well. Those Gentlemen would be very considerably benefited by any change of the present system, for they held official positions, and were bored to death by the claims of Members to serve on Committees to the exclusion of others who had equal claims, or were better qualified. In searching the Journals of the House, and looking through them, he found the same kind of dissatisfaction existed in other Parliaments as existed in this with regard to the Committees on both Private and Public Business, and several Committees had been appointed. With regard to those Committees, prior to nomination, there existed a system of lists made out by the Speaker, the exact value of which he was not able to understand. That showed that certain names of Members were placed above the line, and a certain number of names were placed below the line, and it appeared that was a system that existed from 1826 to 1839, when he presumed, from what he had seen of the Journals of the House, that the dissatisfaction became so great as to require the immediate consideration of the House; and then he found this very important fact—he might say the extracts he should read to the House were taken from the Journals of the House—on the 18th February, 1839, a Select Committee was appointed

> "To consider whether any and what improvement can be adopted in the mode of conducting Private and Public Business."

At this period the Committee was composed of Mr. Poulett Thompson, Sir Robert Peel, Mr. Shaw Lefevre, Lord Stanley, Mr. Hume, Lord Granville Somerset, Mr. Locke, Mr. Greene, Mr. Aglionby, Mr. William Wynn, Lord Elrington, Sir James Graham, Mr. Edward Ellice, Mr. Freshfield, and Colonel Davies. The Committee met and took evidence, with which he would not attempt to trouble the House; but in a Report, dated February 25, 1839, the Committee reported—

> "The principal objections to the well working of Committees at present appear to be the great numbers of which they are composed. The practice of Members voting without having heard the evidence, and the absence on Bills which are not strongly opposed of any security that due attention will be given to their provisions by impartial Members. To remedy these defects it seems most desirable to combine, if possible, a reduction of the number of Members in the Committees generally, with the enforcement of a more constant and regular attendance

> on the part of those who are to serve; and obtain, together with a due representation of local interests, some security for the attendance likewise of a certain number of impartial and disinterested Members."

It appeared to him that any Member whose name did not appear on the Speaker's list could, by making known his desire to serve on any Committee, have his name placed on that Committee, in addition to those Gentlemen who were already upon that Committee. The Committee agreed to three Resolutions, the third of which was—

> "That the Committee of Selection consist of the Chairman of the Standing Orders Committee, and of the Committee on Petitions for Private Bills, and the three Chairmen of the sub-Committees, and that three be a quorum of such Committee."

That was the effect 40 years ago, when the Committee of Selection was appointed. The present Committee of Selection had done their work well for a very long period; and though he had been in the House only since 1874, he felt perfectly satisfied if they could get a Committee of Nomination on the line of the Committee of Selection, and who would perform their duties as well as the Committee had done, there would be no reason to find fault with the Gentlemen who would undertake the onerous duties. The Resolutions were brought up to the House on February 28, 1839, by Mr. Poulett Thompson, who called attention to the Report. The House, after a discussion, took a Division on the 2nd Resolution, when Ayes were 245, Noes 35, giving a majority of 210. Other Amendments on the remaining Resolutions were moved, but no Divisions were taken; and the Resolutions were eventually adopted by the House, and ordered to be printed. If it was evident that it was necessary that some change should take place in 1839—when the Business of that House, both Public and Private, was much less than now—he considered that he was not asking the House too much now to re-consider the position of Public and Private Business, and try to assist him in bringing forward some scheme by which the difficulty might be remedied, and more satisfaction given to hon. Members in that House. On March 11, 1839, a Committee of Selection was appointed, consisting of five Members—namely, Mr. Estcourt, Mr. Shaw Lefevre, Mr. Robert Palmer, Mr. Aglionby, and Mr. Greene—three to be a quorum, with power to report from time to time. In order to test the working of that Committee, another Select Committee was appointed on the 9th of August, 1839, and they reported—

> "Your Committee have further to call the attention of the House to the evidence given by Mr. Estcourt, the Chairman of the Committee on Standing Orders, and of the Committee of Selection, in relation to the working of the system adopted by the House for the constitution of Committees on Private Bills at the commencement of this Session. They feel great satisfaction at the advantages which, it appears from his testimony, have resulted from this change, and they earnestly recommend to the House steadily to persevere in the plan with such Amendments as have been suggested by Mr. Estcourt, or may be found desirable from further experience."

That was the greatest possible proof that the appointment of the Committee was an advantage to the House, and gave great satisfaction. Things went on in that way until the year 1854, and then it appeared the House, finding the increase of Business being so great and dissatisfaction so general, began to do something in the way of Select Committees. In the Reports of the Committees dated the 7th of February, 1854, he found it was ordered—

> "That a Select Committee be appointed to consider whether, by any alterations in the forms and proceedings of this House, the despatch of Public Business could be more effectually promoted."

The Committee was composed of Sir John Pakington, Lord John Russell, Mr. Disraeli, Mr. Goulburn, Mr. Evelyn Denison, Mr. Sotheron, Mr. Greene, Mr. John Ball, Mr. Wilson Patten, Mr. Brotherton, Sir George Grey, Mr. Walpole, Lord Stanley, Mr. Hume, and Mr. Bright. The Report went on—

> "That the Members of every Select Committee appointed by the House be hereafter nominated by the Committee of Selection for Public Committees to be appointed for that purpose; that such Committee shall consist of the Members of a General Committee of Elections for the time being; that such Committee do nominate 11 Members only to serve on the Select Committee, unless otherwise instructed by the House; that five be the quorum of every Committee to be nominated, unless in any case the House shall otherwise order."

It appeared that no discussion took place on the Report. No decision was taken upon it; and the only way in which he could account for that being the case was that at this time England was engaged in a very serious war, which occupied the attention of the House and the country; and he had no doubt that it was owing to that fact that the Report of that Committee was left in abeyance. Another Select Committee was appointed in 1861 on the Business of the House, but it did not go into the question; and again a Select Committee was appointed last year, of which the right hon. Gentleman the Chancellor of the Exchequer was Chairman; but it did not go into the question. After full consideration, and after consulting with several Members of the House, he had decided to ask the House to appoint a Committee of Nomination on the lines of the Committee of Selection, and he would give to that Committee functions according to the duties to be performed by each Committee. The Motion provided for extraordinary occasions; and he considered that the advantages of such a course as the one he asked for were much greater than those by the present method. If the Committee of Selection that had existed for 40 years gave satisfaction, what was there to prevent the Committee of Nomination doing the same? He trusted the House would see no objection to appointing a Committee of seven Members, who would represent fairly the various sections of the House. As to those to be appointed, he would rather leave that to the House itself. There was no doubt it would be a great advantage to have some system of dealing with the Public Business of the House; and at all events, in his opinion, any system would be an improvement on the present want of system. The Committee of Selection had performed their duties well for many years, and nothing could be brought against them. It might be said the new Committee would want experience. He admitted that; but the Committee of Selection, when first nominated, also wanted experience. He had ventured to place before them his views on this question—views shared in by a very large number of hon. Gentlemen occupying seats on both sides of the House—and he trusted he had made out a case sufficiently strong to induce them to agree to his Motion. It was admitted that the present system of nomination was unsatisfactory; consequently, a change of some kind was imperative. The one he proposed for the consideration of the House he was induced to think would be worthy a trial if accepted, and would, without doubt, lead to the adoption of some system far better than his inexperienced mind could suggest. He would leave the Motion in the hands of those more experienced than himself; feeling assured, whatever might be the result of the debate, that he had not unnecessarily taken up the valuable time of the House, and that it would lead to some improvement as regarded the future nomination of hon. Members to the Select Committee on Public Bills and other matters.

Motion made, and Question proposed,

"That a Committee be appointed, to consist of Seven Members, to be called the Committee of Nomination for Select Committees on Public Bills and other matters:

"That such Committee shall, unless otherwise ordered by the House, nominate Members to serve on all Select Committees to which Public Bills, or other matters may be referred."—(*Mr. Isaac.*)

MR. DILLWYN said, that though he did not agree in the terms of the hon. Member's Motion, he fully and entirely concurred with him that some alteration was necessary in the mode of appointing Committees of that House, other than the Committees on Private Bills. The hon. Member described the manner in which the Committees were generally nominated, by a Whip on one side and a Whip on the other. Committees were, therefore, influenced by partizan feelings which it was most desirable should be eliminated from the work intrusted to them, and their decisions were not treated with the respect which the decisions of the Select Committees ought to be. This arose in a great measure, probably, from the fact that under the present system some Members of Committees were not over-zealous in their attendance at the proceedings, and very often, without hearing important portions of the evidence, voted, so to speak, following in the path of their different Leaders. If the most able men that could be selected were appointed Members of a Committee, its decisions would be more respected, and be of greater use than was the case with regard to Committees generally. He fully agreed with his hon. Friend who had brought forward the question, and he thought some change in this respect should be effected. He would, however, venture to suggest to the Government that instead of this matter being conducted in the full House it would be better—and he would suggest the same as an Amendment to the Motion of his hon. Friend, if the latter approved—that a Select Committee should be appointed to consider the present system of nominating Members of Select Committees on matters other than private Bills, and report upon the expediency of making any, and, if so, what, alterations therein. He simply threw that out as a suggestion.

MR. NEWDEGATE: The hon. Member for Nottingham (Mr. Isaac) has done good service by bringing this subject under the attention of the House, and I trust the House will gravely consider it. The Select Committees of the House might, I am convinced, be so arranged as to render much more practical assistance than they do. If they were so composed as to command more confidence, this would relieve us much in getting through the mass of Public Business which stands upon our Books at present, and which, under existing arrangements, we cannot possibly dispose of. This subject was not fully considered in the Reports by the Committees upon Public Business, which sat respectively in 1861 and 1871; and the Committee on Public Business, which recently presented its Report, gave this subject still less attention. The remarks of the hon. Member who last spoke with regard to the Committee of 1861, are founded on a misapprehension; for evidence of a very important character was taken by it as to the appointment of Select Committees, and what were formerly called Grand Committees of the House. In former days most important matters were delegated to these Grand Committees, as was shown by the evidence of the Chief Clerk at the Table of this House—a high authority on everything connected with the history of the procedure of this House—given before the Committee on Public Business in 1861. That evidence was repeated in 1871, although this subject was not at all gravely considered by the Committee which sat in that year. I cannot, therefore, admit that this question has not been brought before Committees on Public Business, though this question was postponed in favour of the consideration of others which were deemed of more pressing importance. The Committee of 1854, however, to which the hon. Member has particularly referred, reported distinctly in favour of Amendments being made in the manner of appointing Select Committees on Public Business. The hon. Member for Nottingham has, therefore, the Report of at least one Committee on Public Business, and that an able Committee, in his favour. Although, in my opinion, the hon. Member has done good service by bringing this subject again before the House, I think he would do wisely if he confined his Motion to such terms as will embrace the suggestion made by the hon. Member for Swansea (Mr. Dillwyn)—that suggestion being, that a Committee of this House, carefully chosen, should consider whether the method of nominating Select Committees upon public subjects may not be amended, so as to give the Reports of these Committees more weight with the House than they at present have. This subject was passed over too lightly, in my opinion, by the Committee which sat last on Public Business, notwithstanding that the Committee of 1854 had reported in favour of a change. I do not consider this is at all an unimportant subject; for I have shown, from some Motions, which the House has been kind enough to allow me to submit to it, that the state of our Order Book, though less encumbered this Session than before, is not creditable. As I ventured to submit to the Committee which last sat on this subject, it appears to me that if we are, in any degree, to relieve the House from this encumbrance of the Order Book, and from the necessity of throwing aside, Session after Session, a mass of subjects which, notwithstanding the importance of some of them, we cannot possibly deal with, the most efficient means we could adopt would be to appoint Select Committees which will command more of the confidence of the House than Select Committees do under the present arrangement. For Bills founded upon the Report of such Committees, or referred to such Committees, would probably pass with less delay after such an examination. Having held one of those anonymous but important offices, which are now so well filled by two Gentlemen—the Members for Mid-Kent (Sir William Hart Dyke) and Clackmannanshire (Mr. Adam)—I can speak from experience as to the difficulties they have to encounter in having the whole task of selection for Public Committees thrown upon them. I remember very well that, when I held that office, I was fain to seek the assistance of hon. Members whenever I could secure it; and I think it would be of great assistance to my successors if a Committee were appointed, of which they and their successors would be Members, to nominate the Members to serve upon Select Committees on public subjects. The last part of the Resolution now before the House, as proposed by the hon. Member for Nottingham, I could not sanction. It is well, as regards the Committees upon the Private Business of this House, that the nomination of Members is made absolutely by the Committee of Selection; but I am quite certain that the House will never part with the power of reviewing and sanctioning the name of every Member nominated to serve upon Committees on public subjects. [Mr. Isaac: I distinctly said that I reserved the right of reference to the House.] I am glad to hear that explanation from the hon. Member; but he must forgive me for having interpreted his view upon that point according to what appeared to me the terms of his Notice, and for preferring the suggestion of the hon. Member for Swansea. This has always been considered a matter which should be referred to a Committee on Public Business; and I think that a Select Committee, which would be virtually a Committee on Public Business, ought to be specially appointed to consider the subject of the proposal which the hon. Member for Nottingham has submitted to the House.

Mr. KNATCHBULL-HUGESSEN had not had the advantage of hearing all the arguments of the Mover of the Resolution, who had been scarcely audible in that part of the House; but he did not understand him to mean, nor could he (Mr. Knatchbull-Hugessen) agree, that the House should part with the ultimate appointment of these Committees. As inquiry into the working of any part of their Parliamentary system, from time to time, might be useful, he should be glad to support a Motion for inquiring into the operation of the present system of appointing Committees; although he believed that, whatever course the House might adopt, the ultimate result would be about the same, for no great improvement could, he thought, be made in the constitution of the Select Committees. Having so far agreed with his hon. Friend the Member for Swansea, he must now find fault with him. His hon. Friend had been, in his opinion, somewhat hard in his comments on both the appointment and the proceedings of those Committees. His hon. Friend had attributed to them a Party complexion. Well, it was a popular thing in that House to get up and repudiate the introduction of Party feeling. But what was Party after all? The combination of men to carry out certain principles; and whenever a Select Committee sat upon any question involving those principles, Party feeling would be introduced in a Committee just as much as in the House. Committees were not appointed to get rid of Party feeling; but to obtain full and precise information upon subjects upon which such information could be better obtained from witnesses examined before 15 Gentlemen, than by discussion in the House. And the reason why the functionaries on either side of the House, to whom allusion had been made, were referred to in the appointment of these Committees was that their special duties enabled them to know the particular Members on each side of the House who had special claims or qualifications to serve on particular Committees. For this reason they would probably still be consulted, even if a change were made. He believed that on every occasion these Gentlemen took great pains to secure good and impartial Committees; and, so far as his (Mr. Knatchbull-Hugessen's) experience went, Members did not vote on the Reports of these Committees without having heard the evidence, and their general attendance was assiduous. He had risen principally because he thought a false impression of the way in which Committees did their work would go forth if something were not said after the speech of his hon. Friend the Member for Swansea, who had not spoken of these Select Committees so well as they deserved.

Sir WILLIAM HART DYKE said, he was quite sure he should be forgiven if for a few moments he occupied the attention of the House with reference to the Motion of his hon. Friend. He regretted, however, that more Members were not present to discuss the Motion, although he could not personally support it, as—although he felt sure his hon. Friend did not mean to do so—the present wording of the Resolution would, if carried, deprive the House of their right of nominating Members to serve on these Committees, a proceeding which was not likely to find favour with that Assembly. There was nothing in his 11 years' experience of the formation of these Committees which led him to suggest any improvement; in fact, that was rendered unnecessary by the whitewashing he had received from his right hon. Friend opposite (Mr. Knatchbull-Hugessen). This was a question which could not be lightly considered. It was one which touched matters connected with the internal Party organization of the House, and it might, perhaps, disturb a state of things which had stood the test of a large number of inquiries of Committees. Therefore, a change ought not to be adopted without serious consideration. It was difficult, no doubt, to explain the position in which he and his right hon. Friend the Member for Clackmannan (Mr. Adam) stood with reference to this matter. At the commencement of his experience he had a sort of sanguine feeling—peculiar, he supposed, to a youthful age—that by excessive effort he should be able to please some one on this or that side of the House, with reference to the formation of these Committees; but some three or four years of bubble effort had served completely to undeceive him, and had produced on his unfortunate carcase a sort of pachydermatous state which had rendered him perfectly indifferent as to the claims or feelings of any hon. Member. During the last two or three years he had been compelled only to consider what was really best for the public service, irrespective of the wishes or feelings of hon. Members. Two years ago he thought of introducing to the notice of the House a proposal somewhat similar to the Motion now before it, as he considered a change might be desirable. The Committee upstairs, by whom Select Committees on Private Bills were nominated, had certain compulsory powers. They could compel the attendance of Members; but it was not suggested in the Resolution before the House, as regarded the appointment of Public Committees, that they should have any such powers. It would be necessary for the Committee upstairs to send notices to Members, and they would have a difficulty in one of the most important points—namely, in ascertaining the political opinions of Members, and knowing how they were connected with railway or gas undertakings. That the present system had lasted as long as it had was simply because their daily intercourse among hon. Members enabled himself and his right hon. Friend the Member for Clackmannan to have the advantage of discovering the relations of various hon. Members to particular subjects of inquiry—an advantage which a Committee upstairs would not possess. He disputed the assertion of the hon. Member for Swansea with regard to Party motives. Since he had had anything to do with the formation of Committees his right hon. Friend (Mr. Adam) and himself had been able to discuss these matters from a better point of view. They had been able to discuss them with reference to the feelings and opinions of the House, and to form these Committees from a higher and better point of view than that of mere Party interest or bias; but it was quite true that Party feeling must inevitably enter into these matters in a certain sense and to a certain degree, and that was illustrated in a manner by the fact that the Government of the day was always allowed by courtesy to have a majority of one in each Committee. He was quite aware that the way in which these Committees were formed might be open to objection. They were formed by an agency which was human, and therefore liable to err. From the position which he held he enjoyed the luxury of hearing of his mistakes at the earliest possible moment. He never yet committed a blunder of which he did not get the earliest possible information. He was inclined to support the proposal of the hon. Member for Swansea, because he felt that this was a question which ought not to be lightly dealt with. It was one which was wrapped up in all kinds of difficulties. If they asked hon. Gentlemen to give their time and attention to such duties, they should at least do their best to ensure that their decision would redound to the honour and credit of the House. He was, therefore, prepared to join in the proposal that a small Committee should be appointed to see by what means the present system could be improved for the general benefit of legislation.

MR. ADAM said, he agreed thoroughly in the admirable remarks of his hon. Friend who had just spoken. There were not two men who would feel more relieved than his hon. Friend and himself if the House came to the determination to take from them the invidious duty which was now imposed on them. Neither he nor his hon. Friend rested on a bed of roses at any time, and those who had any knowledge of the nature of their duties would be the first to acknowledge it. Sufferance was the badge of all the tribe of "Whips," and they would be very well satisfied to be relieved of some of their labours. Whether it were a popular Committee on which many Members desired to act, or an unpopular Committee on which they had to request hon. Gentlemen to serve, their duties were equally disagreeable and equally onerous. As they were but human and fallible, they could not please everybody; and if, instead of being two ordinary Members of Parliament, they were a couple of archangels, or archbishops, or anything that was most infallible, they could not succeed in satisfying Gentlemen who were either unwilling to sit, or too willing, and could not get appointed. As regarded the proposal of the hon. Member for Nottingham, he did not clearly define what it was he objected to. The subject was one of great importance, and demanded more consideration than could be given to it casually. It appeared to him—though he preferred the Motion of the hon. Member for Swansea (Mr. Dillwyn)—the best way would be for the Government to undertake to consider the matter carefully, and submit some proposal to the House. The matter was much too important to be left in the hands of any private Member; and he would recommend the Chancellor of the Exchequer to consider the subject and make a proposal to the House at some future time—not as a matter to be absolutely carried out, but as a tentative proposal—to meet the objections that had been urged to the present system.

MR. MOWBRAY observed, that the House was very much indebted to the hon. Member for Nottingham for bringing the subject before them, for there was, no doubt, a great deal of floating dissatisfaction with the way in which Committees were appointed. His proposition, however, could not be accepted by the House. A Committee such as he proposed could not be intrusted with the actual nomination of Committees. Then the hon. Member for Swansea (Mr. Dillwyn) had come forward with his proposition, which he admitted had been thrown out hastily. For his own part, he concurred in the suggestion of the right hon. Gentleman the Member for Clackmannan (Mr. Adam). He saw no reason for referring the matter to a Committee; because a Committee could not collect any information respecting it with which every Member of the House was not already perfectly familiar; and the fate which had befallen the recommendations of the recent Committee on Public Business was not such as to tempt them to make another experiment of the same kind. He hoped the Government would take the matter up, as suggested by the right hon. Gentleman the Member for Clackmannan, and come forward with some definite scheme which the House could take into consideration.

THE CHANCELLOR OF THE EXCHEQUER felt that the suggestion which had been made, that the Government should take into consideration the mode of appointing Committees, and should afterwards come forward with a proposal to the House upon the subject, was a suggestion which would practically end in nothing. His right hon. Friend behind him (Mr. Mowbray) had referred to the fact that a Committee, consisting of many of the most experienced Members of the House, had sat last year to consider the question of Public Business, and had come to certain Resolutions. He (the Chancellor of the Exchequer) took occasion, at the beginning of the Session, of calling attention to those Resolutions, and he had only succeeded in passing one of them at the expense of several nights' debate; while the hope of successfully proceeding with the other Resolutions must be owned to be very remote. The difficulty, however, was not so much in getting the Resolutions passed before the Committee as in getting them discussed and carried in this House. If they were to come forward and recommend an alteration in the mode of the appointment of Committees—not on the opinion of a Select Committee, but solely on the authority of the Government—they would probably spend a considerable time in discussions which would lead to no result. He was sure he was expressing the opinion of the whole House when he said that the two Gentlemen—his hon. Friend and the right hon. Gentleman opposite—who had for some years past discharged a very thankless office, had done so to the entire satisfaction of the House. Whether the present system could be improved or not, they must all feel that in carrying through the duty which had been undertaken by them they had shown qualities and taken pains which deserved their best acknowledgments. What was the history of a Select Committee? Some hon. Member who took an interest in a particular subject, and who had made himself acquainted with it, brought it before the House, and showed that it was a subject on which a good deal of information was wanted, and which might be deserving of inquiry by a Committee of well-qualified Members. The House agreed to the appointment of the Committee, and the hon. Gentleman who had persuaded the House to adopt that step was charged with the duty of proposing the names of Gentlemen whom he thought well qualified to elicit information on the question. It was very wise and necessary that the Gentleman who had moved the Committee should be in communication with those Gentlemen who could tell him what were the feelings of the House, and where he would find those Gentlemen who were most likely to assist him. The House, in appointing a Committee, considered not whether it was right that this or that particular Party should be represented on it; but whether its Members would be able to bring all the various lights on the question which it was desirable to bring. He was quite certain that great pains were taken in constituting these Committees; but it might be worth considering whether there should not be an inquiry as to the improvement of the present system. The proposal of his hon. Friend the Member for Nottingham would take the matter out of the hands of the House, and that, he thought, would not be agreed to, as the House, which agreed to the appointment of a Committee, could not forego the responsibility they thus undertook. He looked with more favour on the proposal of the hon. Member for Swansea, to which he was prepared to yield. Inquiry might possibly lead to some valuable suggestions being made; though whether a new system could be established during the existence of the present Parliament he did not know.

Mr. W. E. FORSTER said, that if Her Majesty's Government were of opinion that such an inquiry as that suggested should be made, it was not for him, or those with whom he acted, to oppose it. He confessed, however, that he did not think any sufficient case for a change in the present system had been made out. It had not been shown that that system worked ill, or that a better could be devised. Some Members had gone too much on the supposition that the "Whips" actually appointed the Committees. The fact was that Members of Committees were appointed by a general feeling of the House, and were composed of men who were most interested in the subjects to be inquired into. It had been objected that under the present system a partizan Committee might be constituted; but in his experience—and he had served on many Committees—he had never known such to be the case. As he had said, he did not think that a case warranting inquiry had been made out. The discussion would, no doubt, do good; and if, on consideration, in the next Session there still was a strong feeling that there should be a change, then he thought the House would feel that there ought to be an inquiry with a view to see whether such a change was advisable.

Mr. RAIKES observed, that if the House accepted the suggestion of the Chancellor of the Exchequer it could be brought forward as an Amendment by some other Member, though he believed that it had not been moved by the hon. Member for Swansea. While he agreed with that hon. Member as to the desirability, as far as possible, of depriving their Committees of a violent partizan bias, he thought it was idle to expect that they should be wholly free from a partizan character. There had been a feeling of vague dissatisfaction with regard to the composition of their Committees, which was due, he ventured to think, to quite a different class of considerations from those which had been suggested. It appeared to him that their Committees would admit of very great improvement. A Committee was now very seldom composed which was not open more or less to one or both of two common objections. The one was that they saw on Committees the too frequent appearance of familiar names; and the other was that very often the names of Gentlemen appeared who from, he would not say anything of personal interest, but from a peculiar and perhaps extraordinary interest, would certainly not have been those who would have recommended themselves to the calmer judgment of the House if they did not come with that weight which they obitaned from being on the list either of the hon. Member for West Kent (Sir William Hart Dyke) or the right hon. Member for Clackmannan (Mr. Adam). Another difficulty arose out of the appearance in the House of a third Party which was entirely independent of both the Government and the Opposition, and whose claims to representation had to be considered. This had necessitated a new arrangement, under which the hon. and gallant Member for Galway (Major Nolan) came in contact with the hon. and right hon. Gentlemen he had just mentioned; so that they three practically, though not formally, constituted a Committee of Nomination. The proposal before the House was for a Committee of Nomination, and not of Selection. He was surprised that the second half of the Resolution should have been understood in any other sense. He thought the Committee, the formation of which was suggested, would not work well without the presence of the hon. Member for West Kent and the right hon. Member for Clackmannan. There were in the House three different classes of Committees. There were Select Committees for Private Bills appointed by the Committee of Selection, which Committee exercised compulsory powers, and therefore approached its task in wholly different circumstances from those which would surround the Committee which was now asked for. The other two classes of Committees were the ordinary Select Committees and the Hybrid Committees, which were partly nominated by the House and partly by the Committee of Selection. The House scarcely knew the difficulties with which those responsible for the formation of those bodies had to contend in consequence of the numerous applications to serve that were sometimes poured in upon them, and the backwardness that was at other times displayed. The proposal of the hon. Member for Swansea (Mr. Dillwyn) did not seem to him to be one which was likely greatly to improve existing deficiencies with regard to Committees. If the Government assented to that proposal—as he understood they would—he hoped that satisfactory additions to the system suggested by the hon. Member would be introduced at a future time. He felt bound to say that he did not expect very great results from the course advocated by the hon. Member. He rather inclined to the Motion of the hon. Member for Nottingham, believing that it would relieve the agents of both Parties from a great deal of importunity. Under the present arrangement they ought so frequently to say "no," that the fulfilment of their duty must be incompatible with their reputation of being the most agreeable men in the House. He ventured to predict that before many years had elapsed some such alteration as was proposed by that hon. Gentleman would be found necessary.

Mr. WHITBREAD saw one or two difficulties standing in the way of the proposals of the hon. Member for Nottingham (Mr. Isaac) as to a Committee of Nomination consisting only of seven Members. If the course suggested by the hon. Gentleman were adopted, it would, in the first place, be impossible to have represented on such a Committee the several Parties of which the House consisted, and many of those, if not represented, would be sure to complain. Again, the recommendations of such a Committee would be sure to be contested; and in that case the Members of it would have to come down to the House and support their recommendations, and thus they would find their position a most uncomfortable one. In fact, the task which would be imposed upon a small Committee of the House by agreeing to the Motion of the hon. Member for Nottingham was too heavy a one to be borne. The difficulty might be overcome, to a certain extent, by appointing a large Committee of Selection; but it was a question whether such a plan would work well, because such a Committee would not be so easily accessible as would a smaller body. As things at present stood, there was practically a Committee of Selection in the House when each Committee came to be appointed; and he failed to see, therefore, how any system much better than the one at present in practice could be devised. If anything was to be done, however, he thought it should be at the instance of the Government; and he hoped that Her Majesty's Ministers would be sufficiently bold to take the matter in hand and deal with it, after careful thought and consideration.

Sir WALTER B. BARTTELOT said, he had listened attentively to all the arguments that had been brought forward. He thought the House would be most unwise to adopt either the proposal of the hon. Member for Nottingham (Mr. Isaac) or that of the hon. Member for Swansea (Mr. Dillwyn), and mainly on the ground that no question ought to be relegated by the House to a Select Committee for inquiry until a real grievance had been shown, which was certainly not the case in the present instance. He therefore hoped the Chancellor of the Exchequer would not adhere to what he had stated; and that, considering the discussion satisfactory, the hon. Gentleman the Member for Nottingham would now allow the subject to drop.

Mr. ISAAC said, he felt much indebted for the valuable suggestion of the hon. Member for Swansea (Mr. Dillwyn). He would ask the House to permit him to withdraw the Notice from before it, and to substitute the Motion suggested by the hon. Member. He could not agree with his hon. and gallant Friend who spoke last (Sir Walter B. Barttelot) that the matter should rest where it was, and that no further steps should be taken.. He maintained the opinion that it was of the utmost importance that the whole system of Select Committees should be inquired into and dealt with.

Mr. SPEAKER pointed out that the leave of the House should first be asked for the withdrawal of the Motion.

Question put, and *negatived.*

SUGAR INDUSTRIES.—RESOLUTION.

Mr. RITCHIE, on rising to move—

> "That a Select Committee be appointed to consider the injurious effect upon the Home and Colonial Sugar industries of the system prevailing in various countries of giving bounties on the export of Sugar, and to report whether, in their opinion, any remedial measures can be devised by Parliament,"

said, the subject was one of great interest to the sugar industry of this country, as well as to our sugar-growing Colonies and our carrying trade. It was a matter of great importance, not only to those trades, but also to the general body of traders throughout the country; for if the effect of the bounty system on the Continent had been to prevent the natural increase of the growth of sugar in the West India Islands, it followed that those Colonies had been unable to take in exchange that quantity of British manufactured goods they otherwise would have done, so that the question was not one confined to the sugar interest, but one of great importance to the general trader. If such had been the effect of the bounties upon the Colonies, the effect at home, up to the present, had been to shut up the refineries one by one, so that refining was now almost an extinct industry. It was, therefore, important that the system should be abolished, in order to give fair play to an important branch of our national trade. When the number of years they maintained their position in the face of those bounties was taken into consideration, an answer was at once found to the charge that our refiners wanted either industry or enterprize. So far from this being the case, if they were now placed in their proper position, they would be able not only to supply the home market, but also to obtain and retain a portion of the immense export trade of the Continent, which at present amounted yearly to 250,000 tons of refined loaf sugar. More trade would be brought to our ships, and more work to our workpeople, and in times like these such a fact ought not to be lost sight of. But for some statements which had been made, he should not have thought it necessary to show that the sugar bounties existed; as, after the discussion which had arisen, and the conferences that had taken place, he should have thought that no one who paid any attention to the subject could have disputed the existence of the bounties—their existence was written on almost every page of the Blue Books; but, as he was anxious not to leave any portion of his case unproved, he would give some proof of the existence of the bounties. The Belgian Finance Minister has spoken of "the enormous bounties enjoyed by the French refiners," giving them the command of the market. Two years ago M. Toe Water, one of the delegates of the Dutch Government at the International Conference, wrote a letter in a Dutch newspaper against the sugar bounty in Holland. He said that at one time the bounty was so great that nearly all the duty went as bonus to the manufacturers. That was before the French competition sprang up, and when the Dutch refiners had entire command of the export market. He goes on to state that at present, of the annual importation and production of the country, amounting to 120,000 tons, 6 per cent—that is, 7,200 tons—escape the duty, causing a loss to the Treasury of 1,800,000 florins. He declares that

> "this is the only industry in Holland which receives such protection, and is thus fostered by artificial means."

Lastly, let me give the House an idea of what the French themselves say. The gentleman whose words I am about to quote was one of the French delegates at the International Conference in the year 1873. This gentleman was sent by the French Government, ostensibly for the purpose of taking part in the adoption of some measures which had for their aim and object the abolition of these bounties. Mark his language. The House will see what kind of sincerity there was in the efforts of the French Government when they employed a gentleman who could speak in this way—

> "The system of sugar duties was invented to give bounties to the refiners. The refiners have never been subjected to supervision; it would be an unheard-of thing that they should now be subjected to it for the first time."

In spite of the determination in official quarters to maintain the bounties the French Assembly, in 1874, passed a Resolution declaring after a certain date refining in bond should be practised, and thus the bounty should be got rid of. So much for the bounties in refined sugar; but it was necessary to say a word with reference to the bounties on raw sugar, which were so disastrous in their effects on the sugar-growing Colonies. Mr. Harris-Gastrell, their Consul or Agent at Buda-Pesth, said—

> "Austria exports large quantities of raw sugar under bounty. In that country there is a very lax system of taxation on roots. A very considerable proportion of the Excise duty is paid away in the form of drawback, and there is no doubt that this drawback operates as a bounty. Only a very small quantity of sugar has been exported which has not profited by this drawback."

He estimated that this drawback system, which only commenced in 1863, had in 1874 risen to such an extent as to absorb 7,595,243 florins out of a total taxation of sugar of 9,528,648 florins, leaving only, as the balance received by the State, 1,933,405 florins; so that the Government of Austria were paying away seven-ninths of the whole sugar revenue in the country in the shape of bounty. The Austrian Government was so alarmed at the extent of these bounties, that measures had been taken, to some extent, altering the law; but the bounties still existed to a considerable extent. He would now explain how the bounty was obtained. In France and Holland the duty was levied, not on refined sugar after it left the refineries, but on the raw article when it went into the refinery. On every 100 lbs, say, of raw sugar, the duty was levied on the estimated yield of refined sugar; but the raw sugar produced from 5 to 10 per cent more refined sugar than was estimated, and so the manufacturer received a drawback of a duty he had not paid. That was a distinct bounty. With reference to the amount of the bounty in France, M. Léon Say said, in answer to a deputation which waited on him, the bounty did not amount to more than £90,000. That was at total variance with the evidence already existing, as he would proceed to show the House. In the course of an important discussion in the French Assembly it was stated that the bounties amounted to 20,000,000 francs, and this figure was never disputed. Subsequently, an inquiry was made by the sugar-makers into the amount of the bounty, and in 1875 they came to the conclusion that it was in that year 11,000,000 francs; in 1876, 10,000,000; and in 1877, 8,000,000. This was exclusive of several small items, which went to increase the bounty; but it might be taken that the bounty lay somewhere between 10,000,000 francs and 20,000,000 francs—between £400,000 and £800,000. If the Committee were appointed, this point could be thrashed out. He would now proceed to ask the House to consider the effect that these bounties had upon the sugar trade of the West Indian Colonies. Those Colonies, he thought, had special claims on their consideration. They had already suffered very much from the competition they had to undergo in consequence of slave-grown sugar, and, to some extent, they still suffered. If it could be shown that the Colonies were prejudiced by these bounties, the question ought to be very carefully considered by the House. The growth of beet-root sugar in Europe had enormously increased, while cane sugar in the West Indies had been practically at a standstill for the past 10 years. In 1828 there were 210,000 tons grown, and in 1878 there were 240,000 tons. Let them compare that statement with the figures relating to the growth of beet-root sugar on the Continent. The production of beet-root sugar on the Continent had risen from 377,000 tons in 1857 to 1,490,000 tons in 1878, the increase in the 21 years being 1,113,000 tons. That increase was at the cost of their Colonies. As another instance, he would mention that in the three years 1859 to 1861, before the bounty system began, British tropical countries supplied 57 per cent of all the sugar imported, and the Continent only supplied some 6 per cent. Now, with the aid of the bounties, the Continent supplied 36 per cent, and the British tropics only 26 per cent. If this state of affairs arose from any natural disadvantage, they might regret it, but they would have to submit; but sugar could be grown more cheaply in the West Indian Colonies than on the Continent. Those gentlemen who were engaged in the growth of sugar in our Colonies did not like to be driven out of the trade, even by a few years of bad trade and loss. They looked forward to the day when some alteration would be made in this system of bounties, and their trade would be carried on at a profit; but if these bounties continued, he anticipated the inevitable day when the growth would altogether or almost be extinguished. If we had a larger importation from the Colonies, it would lead to a larger exportation of our goods to the Colonies. Of course, it might be said we must send back goods for the sugar we bought, even though we did not send such goods to our Colonies. But the trade with our Colonies, he ventured to think, was much more important to us than the quantity of goods we sent in return for sugar from France. The West Indies took 40*s.* per head of British goods; France took 8*s.* per head of British goods. Therefore, he thought the House would see that anything which prevented the importation of any large amount of sugar from our Colonies was a damage to our manufacturers. But if that was the effect of the bounty system on our West India Colonies, what was the effect on our sugar refineries here? He found that the production of loaf sugar in this country had been reduced from 100,000 tons to 20,000, and that the number of loaf sugar refiners had been reduced from 25 to one. Compare this with the export of loaf sugar from France and Holland —in 1869, 180,000 tons; in 1878, 290,000 tons. Even Austria and Germany exported under the bounty system about 100,000 tons. The total yearly export of loaf sugar from the Continent was from 350,000 to 400,000 tons. Of this, about 120,000 tons came to Great Britain. Our total make was 20,000 tons; our export was *nil.* The abolition of the bounty would not only enable us to make 100,000 tons of sugar which we imported from the Continent, but would give us a share of the export trade now done by France and Holland. He assured the Chancellor of the Exchequer, in reference to his speech to a deputation on the previous day, that our exports had not increased, but had decreased from 59,000 tons in 1876 to 52,000 in 1878, and even this was not loaf sugar—which, as he had shown, we did not export at all —but moist refined sugar. There was nothing to hinder Continental manufacturers by the aid of their bounty also destroying our small export trade in that description of sugar. He acknowledged the obligations of those interested in this matter to the Government for the persistent manner in which they had endeavoured to bring foreign Governments to a right frame of mind on this subject; but, at the same time, he thought a little more diligence might have been shown in the matter. In 1863 a Conference was held, and in 1864 a Convention was signed by which the bounties were to have been abolished; but France never carried it out, notwithstanding repeated remonstrances. Conference after Conference was held; but, although Conventions were agreed to, they were on one pretext or another never ratified. The one result attending all these Conferences, however, was that after all other methods had been discussed, it was conclusively shown that no system of classification would effectually abolish bounties, and the only effectual remedy was shown to be refining in bond. Notwithstanding the efforts of the Government, both Liberal and Conservative, notwithstanding France and Holland were committed over and over again to refining in bond, they had evaded carrying out their obligations. Were we now to sit down, fold our hands, and submit to this system of bounty which we had so repeatedly denounced—a system that was ruining our refiners, injuring our Colonies, and restricting our commerce? Negotiations had not succeeded. Was no other course possible? It was in order to answer that question that he asked for a Committee. It might be asked what remedy could be devised by a Committee? He did not desire to prejudge the result; he did not even desire, at the present time, to commit himself to any particular course; far less did he desire to commit the House or the Government to any particular course. He wished it to be also clearly understood that he and those who acted with him in this movement had no desire to be identified either with Protection or what was called Reciprocity. He assumed that any settlement of the question must necessarily be on Free Trade principles. There was one argument he wished first to clear out of the way—it was called the consumers' argument. There were people who asked why the English should refuse to accept a present from France, and why should they be deprived of cheap sugar, if France was willing to give it them? It was a mistake to think that the French made us a present of the whole of these bounties; it was quite sufficient for their purpose to allow sufficient bounty to enable them to sell sugar at a little below cost price, so that the benefit obtained was really small to the consumer, but it was fatal to our refiners. It did not amount to $\frac{1}{4}d.$ per lb.—little more than $\frac{1}{8}d.$ To a refiner, however, this meant ruin. But could it be an ultimate benefit to the consumer to obtain any article below its natural cost price? By all means let the consumer buy in the cheapest producing market. If England could not compete with other markets in any particular manufacture, he was quite ready to admit that that manufacture must go to the wall; but the moment artificial measures were adopted by competing countries to introduce into a duty-free country an article below its cost price, that industry was doomed to extinction in such country; and when that has occurred, was it likely the artificial cheapening process on the part of the foreign country would continue? It might be answered that if that came about, and in consequence prices rose, the industry would revive. Was it likely that further capital would be embarked in an industry which at any moment might be again lost by a repetition of that policy? The effect of such a system—a system by which the consumer bought below cost price—was of ultimate disadvantage to him, because it must inevitably drive capital out of the trade. He had, however, higher authorities than himself on this question, to whose opinions he was sure the House would give that attention they deserved. The Chancellor of the Exchequer, on receiving a deputation, said—

> "He knew it had been said—sometimes he had seen it put strongly in the journals—that if foreign countries chose to pay bounties, or anything in the nature of bounties, on the sugar which they exported, and thereby supplied us with an article cheaper than it would otherwise be, we as a nation had nothing to do but to take advantage of their folly, and that we need not trouble ourselves as to the effect it had on this or that particular trade. He wished to say that he entirely dissented from that view. He did not think that we ought to comfort ourselves with arguments such as those. In general, he agreed in principle with what had been said by so many there present. He agreed with what had been so well said by Mr. Sampson Lloyd, that we ought not by any legislative enactment to interfere to prevent other countries making use of their natural advantages to supply us with the products which they could supply more advantageously than we could. But that principle did not apply to a case in which, by legislative action on the part of a foreign Government, by any artificial action on their part, they could supply us with an article which, if things were left to their natural courses, we could supply as cheaply or more cheaply ourselves."

Lord Aberdare, on August 28, 1875, said—

> "Of course, it was an advantage to this country to reap the benefit of cheaper productions in other countries; but the effect of these large bonuses to French manufacturers was this—that they are rapidly destroying the refining industry in this country. There were large manufactories already closed. If this continued, they would find that the present refiners of sugar would cease to exist; and the British consumer would find that, instead of a decrease, there would be an increase in the price of sugar. It was, therefore, of interest to the British consumer that these absurd and extravagant bonuses on French sugar should cease."

And what said Lord Derby on the subject?—

> "I quite agree, especially with what was said by one gentleman who addressed us, as to the fact that cheapness was not, in the long run, likely to be promoted by this system of bounties, or that, at the utmost, a temporary artificial cheapness would be obtained which might be followed by a permanent enhancement of the price."

Again, in the House of Lords, in July 1875, Lord Derby said—

> "Before I sit down, I would just remark that I think my noble Friend (Lord Hampton) put this question a little too much as if it affected exclusively the interests of the colonial producer and the sugar refiner. From our point of view, it is also a question affecting the general interests of the public. We are convinced that any advantage of cheapness to the consumer which can be obtained by means of the bounty on foreign sugar will be temporary only; because, if the bounty were continued long enough and raised high enough to drive the English sugar refiner and colonial producer out of the market, then it follows that the foreign producer would get the monopoly of the market—in which case the price would not long remain at a low rate."—[3 *Hansard*, ccxxv. 1806.]

Professor Leone Levi said, at the Society of Arts—

> "Nor can it in the end prove satisfactory, even to the consumer in this country, to enjoy even the benefit of extraordinary cheapness, if, under the operation of such exceptional legislation and a fallacious system of bounties, one by one all the refiners in England and Scotland should be compelled to close their works, and so leave the whole British market for refined sugar a complete monopoly for the French refiners."

Surely, after such an array of authorities as that, it would no longer be asserted that a continuance of these bounties was for the ultimate benefit of the consumer? But the best answer to that assertion seemed to him to consist in the fact that both the late Liberal, and the present Conservative, Governments had felt themselves bound to use every effort and remonstrance with France to obtain a cessation of these bounties. Would that have been so, if such cessation were considered injurious to the consumer? Were we not, therefore, justified in endeavouring to ascertain whether some other measures might not succeed in doing that which the Government had up to the present faied in securing? There was a proposition for altering the mode in which these sugars were classified by means of saccharometry. That was a system which he did not think was likely to be satisfactory; it was a system by which frauds might be perpetrated to as great an extent as at present, because it would depend upon the examination of samples. The fallacy of that system had been exposed at the Conferences by the English delegate, and, because of the door it opened to fraud, the sugar refiners of this country would rather matters remained as they were than see it adopted. He believed it had been conclusively shown that the only thing which would have the effect of abolishing these bounties was the adoption of the system of refining in bond. Then, it had been contended by some that the proper way of dealing with this question, if France and Holland refused to give up the bounties, was to stop the importation of sugar from those countries altogether. No doubt that was a very simple plan, and would have the desired effect, though he was far from advocating it. No doubt, if France and Holland were likely to lose such excellent customers as we were, they would take such steps as would put an end to the bounties. He was not going to assume the character of an authority on Free Trade; and, therefore, he had fortified himself with some good authorities on the subject. He found that M'Culloch (whom hon. Gentlemen would admit was a good authority on these questions), in his *Political Economy*, page 145, said—

> "If there be apparently good grounds for thinking that a prohibition will so distress those against whom it is levelled as to make them withdraw, or materially modify the prohibition or high duty it is intended to avenge, it may be prudent to enact it."

He thought such an assertion from such an authority could not fail to have considerable weight with us. If such a course was justifiable in the case of a protective duty levelled against our manufactures, it seemed to him infinitely stronger when it was directed against foreign bounties, which were aimed against the trade of this country. Another suggestion for dealing with the question was to place a countervailing duty on foreign sugar—a duty which would be an exact equivalent to the bounties in countries where bounties were given; but he wished it to be understood that the refiners would be satisfied with a duty even less than the bounty rather than that it should be supposed they wanted anything like Protection. He might add that the imposition of a bounty was a violation of Free Trade and free competition, and that a countervailing duty would simply have the effect of re-establishing that Free Trade which the bounty had violated. To impose a countervailing duty equivalent to the bounty would be to leave the foreign manufacturers as free in the competition as if there were no bounty and no countervailing duty. It would, therefore, not be at variance with Free Trade principles, and he would refer to Ricardo and Adam Smith to bear out his assertion. What was Free Trade? It was the circulation of commodities at their natural value, and the natural value of an article was that which it would bring in a free competition. There were one or two cases in which something very much like this countervailing duty was already in force. The duty upon tobacco, for instance, was 3*s*. 6*d*., whereas upon cigars it was 5*s*. 6*d*. This difference did not exist for Revenue purposes, but to establish fair competition between the foreign cigar manufacturers and those at home. The extra 2*d*. put this year upon cigars was also not for the sake of Revenue, but of fair play to our home manufacturers. If, in the case of sugar, it were asked why we should prevent the consumer from buying sugar at its present price in the interests of the sugar industries, he should like to know why we should prevent the cigar consumer from buying his cigars *plus* the lower rate of tobacco duty, rather than *plus* the high cigar duty merely in the interest of our cigar manufacturer? Indeed, the case of sugar was infinitely stronger, because, by allowing the cigars to come in without the extra cigar duty, we did not run the risk of ultimate injury to the consumer through their being sold below their natural cost price; whereas, in the case of sugar, the action of these bounties caused the sugar to be sold below its natural cost price, and this must end in enhancing the price to the consumers. Then, again, in the case of spirits, the Customs duty was 10*s*. 5*d*., and the Excise duty 10*s*. A countervailing duty of 5*d*. a-gallon was adopted to place British and foreign spirits on an equal footing. Other instances of the same policy might be given. It was, therefore, clear that a countervailing duty would be no departure from our commercial policy. It was said that if this countervailing duty was imposed France would retaliate; but why should they retaliate? The present state of things benefited not the consumers, but the refiners, and was a tax upon the general public. Unfortunately, the refiners were extremely powerful, and the Government were unable to cope with them; and he believed the French Government would not look unfavourably on any instrument we might place in their hands to enable them to override that power. By imposing such a duty as was proposed, we should only be doing what was provided for in the 19th Article of the Convention of 1864, to which France, Belgium, and Holland were parties. In that Article it was stated that—

> "In the event of bounties being granted in the said countries on the exportation of refined sugars, the high contracting parties will be at liberty to come to an understanding as to the surtax to be imposed on the importation of refined sugars of and from the said countries."

There was, therefore, no ground for supposing there would be any idea of retaliation. He admitted that the imposition of the countervailing duty would be attended with considerable difficulty; but this was essentially a matter for the Committee to consider. A Committee was desirable, even if it were unable to point out a remedy. The whole question would thus be thoroughly investigated, various statements that had been made would be sifted, and the Foreign Secretary's hands would be strengthened for further negotiations. On this last point Lord Salisbury had spoken as follows to a deputation yesterday—

> "With reference to the main matter for which you have come here to-day—the question of the appointment of a Committee—I think I had better leave that in the hands of the Leader of the House of Commons. But I may say I do not think you overrate the value of a Committee in strengthening the hands of a Foreign Minister,

not only because a Committee can bring out facts which can only be obtained in a *quasi*-judicial manner, but also a committee is able to satisfy a foreign Government of the permanent direction of opinion in this country much more completely than can be done by the single word of a Minister of the Crown, who may be supposed to be speaking rather his own opinions. Therefore, I have no doubt if my right hon. Friend (Sir Stafford Northcote) sees his way to concur in the suggestion you have made to-day he will do so, because it will strengthen the negotiations conducted by the Foreign Office."

Words like these, from such high authority, ought to be sufficient to procure the Committee for which he asked. He hoped his arguments would be met by arguments which were to the point, and that no irrelevant questions would be raised. No industry in the Kingdom was in the same position as the sugar industry, and any remedy they might propose would not be applicable to other commodities. Let them not argue about the evils of Protection, or advance the claims of other industries to Protection. They did not require Protection. All they asked for was an establishment of the principles of Free Trade which had been practically destroyed by the bounties. If the negotiations now being carried on failed, we ought to devise some other remedy for the state of things he had described. He begged, therefore, that the Government would consent to the appointment of this Committee, in order to see whether, pending these negotiations, there was not some other course which, in self-defence, we could adopt. He had shown that the system of which he complained was destructive to our industry, opposed to the best interests of the country, and contrary to the principles of Free Trade and competition. He appealed with confidence to the Government and the House to take measures for the abolition of this obnoxious system, which was destroying our trade and ruining our manufactures. The hon. Member concluded by moving for the appointment of a Committee.

Dr. CAMERON, in seconding the Motion, said, that his hon. Friend (Mr. Ritchie) had drawn attention to the doubt cast by some persons on the existence of the bounties. That doubt arose from a verbal quibble as to whether the bounties should be called bounties or drawbacks, seeing that under the French system no sugar bounty was actually paid, but only an excessive drawback allowed on the exportation of refined or manufactured sugar; but it was clear that, according to the nomenclature sanctioned by Adam Smith, the former term was correct and ought to be employed. The fact was that the drawback exceeded the tax; and, therefore, it was in reality a bounty in the most dangerous shape in which a bounty could exist. A former Finance Minister of France had stated, some years ago, that the amount paid in bounties on French sugar was £800,000, which sum had, of course, considerably increased by this time. Long after our system of bounties had been abolished, we had failed to perceive the existence of a sugar bounty, in consequence of giving it in the shape of drawbacks. There could be little doubt that the general taxpayers of France bore this imposition in anything but a patient spirit; and, were it not for the fact that the bounty was masked under the form of a drawback, he thought they might rest satisfied the system would soon be discontinued. Therefore, if no other advantage accrued from the evening's debate, he looked forward to the inquiry of the Committee, should it be granted, as likely to draw the attention of the French taxpayer to the true bearings of the question, and in that way to strengthen the hands of the British Government towards obtaining an abolition of the system. The bounties arose in this way. Raw sugar was taxed on an estimate of the amount of saccharine matter it contained. The sugar was classified, and intermediate qualities were taxed on the scale of the class below them. It was evident that, unless the classification was carried out in great perfection, a margin for bounty would thus arise by the manufacture of intermediate classes of sugar, out of which a larger quantity of refined sugar could be obtained than was reckoned in the imposition of the tax. In that way, when a ton of raw sugar was taxed at the rate of £1 for every cwt. of pure sugar it contained, and it was calculated that the ton contained 16 cwt. of pure sugar, the amount of taxation would be £16. But when the refiner came to deal with it, he was able to turn out 18 cwt. of pure sugar, on exporting which he received a drawback of £18; in other words, he got a clear bounty of £2 per ton. As far back as the year 1862 there had been a movement in France for the abolition of the bounties; and the then Finance Minister, noticing the amount squandered on bounties, had made overtures to this country and to Belgium and Holland with a view to that result. A Convention was entered into, in accordance with the terms of which a Commission of chemists was held at Cologne, and a system was adopted for the better classification of sugars. We ourselves did put an end to the system of bounties; but the French, after the English bounty was abolished, ceased to take the same view, and, on one pretext or another, abstained from action of any kind, till at last the Convention, which had been arranged for 10 years, expired with no further results. Meanwhile, the disadvantage at which we were placed became more and more serious. At the end of the Franco-German War, the French increased the taxation of many articles; the tax on raw sugar was increased 50 per cent, and, consequently, the bounties were raised by a similar amount. Previous to that time our own manufacturers had had a certain market; but the increase of the French bounty rendered competition on their part far more difficult than before. The effect of the continuance of the French system soon began to be unfavourably felt in this country; and in December, 1876, Professor Leone Levi stated that 14 English sugar refineries had been closed, and now that was the case he (Dr. Cameron) believed with very nearly all of them. That was due, not to the great depression of trade, as they had been told, for the decline of our sugar industries began before the depression was noticeable, but to the unfair disadvantage at which English manufacturers were placed. He attached no importance to the statements made in the prospectus of a new refinery company, which had been referred to in connection with the subject, because it was the invariable rule for the promoters of new undertakings to anticipate large profits. The trade did not ask to be protected from fair competition; but the bounty of £3 per ton now given by France was too much for them to contend against, and the extinction of the trade he believed to be only a matter of time. However, he knew that fact was disputed, and it was just one of those which the Committee should investigate. The attitude which some persons adopted when the probable extinction of this industry in England was spoken of, and it was assumed to be necessary to make an effort to preserve it, reminded him of the reply of the French cynic to the man who said he must live—"*Je n'en vois pas la nécessité.*" But if we were told that there was no necessity for the existence of British sugar refiners, he would point to the money which had been expended by successive Governments in pressing this question, which showed the importance they attached to the maintenance of home industry. Why was it that we had gone to such expense in past years in connection with all the Conferences that had been held on the subject? Why had we taken so much trouble with the object of getting the bounty abolished in France? The bounty was borne impatiently in France, and it had even been denounced on a vote by a majority of the French Legislature. If he imagined that the advantage which we gained from the French bounty could be a permanent one, he should say, let us by all means accept it gratefully; but it could not be permanent, and the moment our industry was extinguished the bounty must cease, and the French would name their own price for the sugar with which they supplied us, because we should be compelled to buy from them on their own terms. It might be said that the abolition of the bounty would resuscitate our own industry; but that by no means followed, because capital would not return to the trade, lest the bounty should be re-imposed. As to the question of an alternative for the present system of drawbacks which would get rid of their bounties, whether it were the adoption of a system of refining in bonds, or the use of the saccharometer, or any other means, these were details depending altogether upon the action of foreign Governments; and he did not think the investigation by the Committee of any such matters would lead to any practical result. They should rather confine themselves to the results of the present system, and how we might most effectually put an end to it. Of the various proposals made to the Government, one had been a prohibition of import; but he should be the last in the world to think that was seriously advocated. It seemed to him the proposal for a countervailing duty rested upon a different basis, and was susceptible of support on grounds of political economy. The one real objection to a countervailing duty was that bounty-giving countries would not export to us direct, but through other countries. That, however, was not an objection of vital importance, for there would be no difficulty in tracing the source of the sugar, by whatever channel it arrived. It could not be said we had any commercial policy in such matters, for we had had no opportunity of dealing with a similar case. This was not a question of either Protection or Reciprocity; to both of which he was opposed, but was entirely apart from them. If seeking for Protection, he should ask for the taxing of the French raw sugar coming to this market which was manufactured in bond and exported free of taxation; but he did not desire that; while, if he proposed Reciprocity, he should ask that, as the French levied a surtax upon the product of our Colonies, we should levy a surtax upon French sugars. He did not ask for either of these measures; he simply asked that our Government should take steps to intercept the artificial advantage French manufacturers derived from the bounty, and in all other respects allow trade to take its natural course. Whenever injury had been threatened to our home manufactures by artificial bounties—and there were several instances of it so occurring—countervailing duties had been invariably resorted to. Tobacco furnished a case in point. As it was heavily taxed in this country, the manufacturer of cigars was prejudiced in competition with the foreign manufacturer, and the advantage he gained from the comparative cheapness to him of the raw material was neutralized by a countervailing duty. There were corresponding arrangements in respect of malt, chicory, and spirits; and as to the alleged difficulty in ascertaining the amount of the bounties paid in the case of sugar, there was no more difficulty in determining that than there was in ascertaining and allowing for the amount of loss incurred by our home distillers through the operation of Excise restrictions. So far, therefore, from the only analogous cases which could be adduced showing that countervailing duties were against the general policy of this country, they showed that such duties were in entire accordance with it and with Free Trade principles. They had nothing whatever to do with Protection or Reciprocity. In cases where an injury arose to home manufactures through the policy of a foreign Government, which, if it arose from the action of our own Government, would be neutralized by countervailing duties, we should take the same means to neutralize its evil effects. In this case, the simple question before the House was whether they should allow bounties arising from the action of foreign Governments to injure the British manufacturer in cases where, if the injury arose from the action of our own Government, his interests would be protected against prejudice. At present, the question only arose in reference to sugar, but it might soon arise in reference to other things, and we would then be forced to take the steps which were now deprecated as being in favour of a special class; for we could not allow foreign Governments to ruin our industries one after another by this bounty system. He knew there were differences of opinion on the question, and he believed it was one which could better be argued out in its principles and details before a Committee than in that House; and, therefore, he had great pleasure in seconding the Motion of his hon. Friend.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the injurious effect upon the Home and Colonial Sugar industries of the system prevailing in various countries of giving bounties on the export of Sugar, and to report whether, in their opinion, any remedial measures can be devised by Parliament."—(*Mr. Ritchie.*)

Mr. SAMPSON LLOYD said, he would support the Motion of the hon. Member for the Tower Hamlets (Mr. Ritchie). The question was one which affected to a very great degree some of the constituency which he had the honour to represent. If he believed the Motion adverse to the real and permanent interests of the consumer he could not support it, because the constituency which he represented contained many thousand consumers and but a small number of producers; but he thought that in this case the interests of the two classes were identical. He looked upon this particular question as one entirely outside the great controversy between Free Trade and Protection; and if any hon. Members were sincere advocates of Protection and opponents of Free Trade, or *vice versâ*, these great questions need not be trailed across the path of this inquiry. A countervailing duty was not Protection, but simply the neutralization of artificial advantages given to foreign competitors. He was very much surprised to hear some persons express doubt as to whether substantially there were any bounties. But that bounties to a very considerable amount had been given was admitted by the Finance Minister of France; and, what was more important, for the last 15 years successive Ministries at home had striven to get these bounties done away with. If there were no bounties, how was it that different Ministers had laboured so hard to get them removed? He might also point out that the benefit even to the consumer of the present unjust bounty system was more apparent than real; for by it we were obtaining at a low price a substance which we made use of as sugar, which was obtained from beetroot, and which was not so good as the sugar obtained from cane grown in our own Colonies. The working population were not large consumers of refined sugar, therefore not large gainers by its being cheapened by bounties; and a great industry in the country was nearly paralyzed by the state of things which existed, and which could not be considered of benefit to the country. It was all very well for people to ignore the sugar trade because it was a comparatively small one; but, supposing it were possible for despotic Governments to enter into a combination to sell Manchester goods by bounty in our home market at less than cost price, could anybody believe that Lancashire would submit to such a system for many weeks? The principle which was objectionable in the case of Lancashire was surely objectionable also in the case of this smaller industry? All that was asked for by those who objected to the sugar bounties was the restoration of natural and fair competition. He had no wish to prejudge the question, which was one surrounded with difficulties; but he expressed an anxious hope that the Government would see its way to grant the Committee which had been moved for by his hon. Friend the Member for the Tower Hamlets.

MR. SAMUDA said, he thought it would be generally admitted that the sugar interest, both British and Colonial, had a very great grievance to be redressed; and he agreed with his hon. Colleague in the desirability of appointing a Committee to inquire into the matter. He would warn the House, however, that the subject was a much larger one than even the exhaustive speech of his hon. Friend would have led them to suppose. If the case were limited to refined loaf sugar, it would be comparatively easy of solution; but, in point of fact, it extended to the mode of dealing with what was technically called "soft" sugar. What was the grievance which appeared to exist with regard to the loaf sugar? France, Belgium, and Holland, which had united with ourselves for the purpose of obtaining a uniform action and result in the competition in one another's markets, had not given fair and full effect to the proposals which they themselves originated and which we accepted. A hidden influence in some of those countries prevented the carrying out of the wishes of the people. Speaking locally, and for his own constituents, he had this practical result before his eyes:—In 1864 there were in that district no fewer than 23 refineries in active and profitable operation; at the present time there was only one. This was a most important fact, because the change ranged over a period when the depression of trade which had been referred to did not exist. Against the bounty established in France previous to 1871—namely, £1 10*s.* a-ton—our refiners were able to hold their own; but when, owing to the necessities arising from their war with Germany, the French had to raise their taxes on this amongst other articles, and to increase correspondingly the bounty, our refiners had to compete with a bounty of about £3 per ton. The result of our agreement with France, Germany, and Belgium was that, after 15 years of trial and disappointment, we were no better off than we were in the beginning. Soft sugar up to the present time had had no bounty in France, and while France had been content to let that soft sugar pass out of France without a duty, Austria, on the other hand, had not been so content, but she was paying an enormous bounty on that raw (or soft) sugar. The manufacture of sugar from beetroot in Austria had increased to an unprecedented extent. In 1864 Austria manufactured very little sugar indeed; now she was paying about £1,000,000 in bounty, and giving back nearly £700,000 to the persons who were producing, not loaf sugar, but raw sugar. Therefore, if France carried out her engagement with us and Holland, she would be overweighted in the race, and Austria would be enabled to supply the sugar which France otherwise would do. That circumstance rendered the question more complicated. The best way of dealing with the subject, however, was to get at the bottom of the facts, which were but little known, and were not known at all by the taxpayers of France. They should get at the mode of dealing, not with the refined sugar only, but with that of raw sugar. The manufacture of beetroot sugar was, owing to certain influences, going on to an extent which it was impossible to check. What applied in that case to France equally applied to Holland and Belgium. France had set to work to get sugar from beetroot, and the effect of that had been to enable her to bring a large breadth of land under cultivation which was not cultivated before. He was told that, while the production of sugar from beetroot was a source of profit to France, the beetroot, when deprived of the sugar it contained, was equally as available as it was before for feeding the older cattle, though not for feeding the young animals. That gave the French an enormous advantage. It might be asked, how it happened a country would incur a vast expense to support an industry which could not support itself? The reason was, that the bringing of land into cultivation was thought to be so important that France could afford to support that industry in its present stage by State aid. The quantity of beetroot sugar produced within the last 10 years was no less than 770,000 tons, whereas the whole of the cane-sugar produced in 30 years in the British Colonies and in the slave-growing States was about 600,000 tons only. Now, he held with his hon. Colleague that the attempt to cure the state of things now complained of need not trench on the advantages we derived from Free Trade. He did not, however, agree that the remedy should take the form of a countervailing duty. A countervailing duty would be extremely complicated in its application, and would not be advisable. It would appear also to be in direct opposition to our general system with respect to duties; and it would involve us in difficulties in connection with the Favoured Nation Clause of Treaties. The object in view, however, might be effected in a different way. He believed that refining in bond would, to a certain extent, but not entirely, meet the evil, without infringing the principles of Free Trade or interfering with the Favoured Nation Clause. We might, therefore, say to those countries who had entered into Conventions with us on the subject that we would give effect to those Conventions, and would require them to refine in bond; that we would give them the absolute right to send their refined sugar into this Kingdom free of duty, but on condition that they refined in bond, and that until they refined in bond we would keep it out altogether. By that means, we should be able to compel those countries at least to approach to honesty in that matter, and that would be sufficient to restore the industry which we had lost. With regard to the claim of our Colonies, he did not see his way clear to the remedy which their case demanded; but the labours of the Select Committee might throw valuable light on that point.

Mr. BOURKE said, he had no doubt the House felt the deepest interest in this subject, and his hon. Friend behind him (Mr. Ritchie) had shown himself profoundly acquainted with it in all its bearings. He need not inform the House that, so far as the Foreign Office was concerned, it was no new subject. He was sorry to say that there had not been any subject in which the Foreign Office had been engaged since he became connected with it which was of a more distressing or more unsatisfactory character than this. They had from the first been impressed with the fact that there was an immense amount of distress in the refining industry in this country, and they had from time to time received from men of the highest character such piteous tales of the suffering which existed in that industry as could not fail to excite in any man connected with the public affairs of the country feelings of the deepest sympathy. The history of the negotiations between Her Majesty's Government and foreign Powers had already been related to the House with so much accuracy and detail that he should be abusing the indulgence of the House to enter into it. It was also very well know to the country. The object of those negotiations could be stated in a very few words. This question had been before the country for the last 20 years, and the object of the present Government, and of the successive Governments which had preceded them, had been simply to obtain an agreement on the part of foreign nations for a uniform and equitable rate of drawback upon the export of refined sugar. That was the whole question. By "equitable" rate of drawback he, of course, meant such a rate as would not leave the export duty greater than the Excise or Customs duties. If that uniform duty were obtained, the whole object of the British Government would be achieved. It was unnecessary for him to go into the evils of the present system, for they had been admitted by successive Governments, and in 1860 an attempt was made to obtain an abolition of these bounties. He quite agreed with his hon. Friend the Member for Plymouth (Mr. Sampson Lloyd), that this was not a question of Free Trade at all, because the most sincere supporters of Free Trade principles had themselves endeavoured to procure from foreign Governments the agreement to which he had referred. He should be uncandid if he were to give the House the impression that he went altogether with those who had brought before the Foreign Office the declining state of their industry, and that he believed that this was entirely due to the bounty system. There were many persons of influence and position in this country who knew the circumstances of the sugar industry as well as those who were engaged in it, and who believed that the industry, although suffering very deeply in many places, ought, nevertheless, to be regarded rather as an industry whose success had shifted from one place to another, than as one which was declining all over the country. That was a serious element in the consideration of the matter; and, besides these, there were other persons who held that the bounty system was not the cause of the decline of the refining industry; and others, again, connected with the trade, who were of opinion that there were other causes, and that as there many means besides refining by which raw sugar could be converted into consumable sugar, the bounty system could not operate against those who had embarked in the industry with the view of making consumable sugar by other processes than refining. He (Mr. Bourke) could not speak with any authority upon those points; but he was bound to point out to the House that those views were held by persons of the highest authority. After all, however, the question before the House was, what was to be done with regard to the Motion of the hon. Member for the Tower Hamlets? There was no doubt that a great industry was suffering. There was no doubt, also, that it deserved the sympathy of all who really had the welfare of the country at heart; because he should say from personal experience that there was no body of men connected with the commercial affairs of this country who had set their minds and their energies more resolutely than this class had during the last few years to try and remedy the evils under which they had been suffering. The measures which had hitherto been attempted to remedy these evils had been unsuccessful; and although foreign Governments were perfectly agreed as to the equity of the principle which Her Majesty's Government laid down, yet, at the same time, for one reason or another—in some countries because they had set themselves against the system of refining in bond, and in others because shifting Administrations had had shifting opinions upon the subject—they had not acted upon it, and the Government were just as far to-day as they were years ago from attaining their object. There was another element which the House ought not to leave out of consideration, and that was, that the question was an extremely technical and difficult one, both as it related to our Colonies and the Revenue of this country. It was very desirable, too, that every means of pressing this subject upon foreign Powers should be brought into play; and although successive Governments had exhausted all their powers, and had shown foreign Governments everything they knew upon the subject, it was quite possible that by the machinery of a Select Committee they might be able to impress them in a different way from that in which they had hitherto been successful in impressing them. Some persons, no doubt, might be sanguine enough to believe that if a great commercial subject of this kind were discussed by a Select Committee, and skilled witnesses—who need not be confined to this country alone—were examined, the Report of such a Committee might not only have a good effect upon the sugar industries of this country, but might have a good effect upon the cause of the consumer generally throughout Europe. Nothing had more astonished him than that in European countries, and particularly in those which had universal suffrage, the voice of the consumer seemed never to be heard; and he therefore thought it possible that an inquiry of this kind, if it were extended to all the branches of the subject, might have a good effect, not only as regarded the particular industry, but also as regarded our commercial affairs generally throughout Europe. There was also a great variety of subjects which such an inquiry might clear up. For instance, there was the amount of the bounty. There were many high authorities in this country who, basing their opinion upon the facts given them by foreign statesmen, did not believe that the bounty amounted to anything like what it was alleged to be. That of itself was a recondite and difficult subject upon which to make any distinct declaration. Then, again, if they admitted the principle of equalizing as much as possible the drawback upon exportation, it would yet have to be decided how that principle was to be carried out. Many foreign countries said there was nothing like saccharometry, whereas we at home said there was nothing like refining in bond. This was a subject of the greatest difficulty, on which many of the highest authorities in this country had changed their opinions. Some of those who were now most in favour of refining in bond were strongly opposed to it a short time ago. This showed how difficult all these questions were. Then, too, there was the question of the Colonies. He need not show the House the difficulty of dealing with the subject of Colonial sugar. But he quite agreed that, whatever course the House might resolve upon, it would be the duty of the Foreign Office to proceed with the negotiations with other Governments; and although he did not say it was likely, he thought it quite probable, that some foreign nations might read that debate, and might think it desirable to re-open, or rather to continue, the negotiations which had never actually been closed. The question of a countervailing duty has been very eloquently brought before them; but he should not be doing his duty to the House, if he did not make it clearly understood that the Government could not hold out the slightest hope to the hon. Member for the Tower Hamlets (Mr. Ritchie) that they would support any such proposal. He was surprised at the observations of his hon. Friend (Mr. Samuda) who had last spoken. The hon. Gentleman opposed a countervailing duty, but he seemed to propose something far worse. He would have them say to foreign nations—"If you do not adopt the system of refining in bond, we will not admit your sugar at all." This was going much further than his hon. Colleague, who advocated a countervailing duty. It was the intention of Her Majesty's Government to agree that a Committee on this subject should be granted; but they could not agree to the terms in which the proposal had been made by his hon. Friend, because those terms really begged the question. The precise terms of Reference could be agreed upon hereafter; but he might be allowed to read to the House the Order of Reference proposed by Her Majesty's Government. It was to the following effect. That a Select Committee should be appointed—

> "To inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the system of taxation, drawbacks, and bounties on the exportation of Sugar in force in various foreign countries, and to report on the steps it is desirable to take in order to obtain redress for any evils that may be found to exist."

This was the proposal he now made to the House. He should be very glad if it were accepted, and still more glad if it were thought that the Government were dealing with the subject in a manner calculated to satisfy the industries concerned.

Mr. COURTNEY said he would be sorry that this Motion should be agreed to, even in a modified form, without someone rising to offer some objections to the proposal and to the speeches by which it had been supported. It now, for the first time, appeared to be a matter of reproach that a question of this kind should be discussed upon the principles of political economy. The hon. Member (Mr. Ritchie) who had introduced the subject, as well as the hon. Member for Glasgow (Dr. Cameron) and the hon. Member for the Tower Hamlets (Mr. Samuda) who had since supported him, all pointed a sarcasm against the supposition that political economists could have anything to do with this matter. Some little homage had been paid to the principle of Free Trade in the declaration which had been made that it was not a matter of Protection at all. They were all against Protection in the abstract; but when it came to be Protection in detail, they all found some exceptional circumstances which took the problem outside the question of Protection or Free Trade, and made it a matter specially deserving of consideration. What was the proposition laid down by the hon. Member? It was that the interchange of commodities between countries should be left entirely dependent upon the natural conditions of production in those countries, and that any interference with that interchange of commodities would undoubtedly be an infraction of the principles of Free Trade; but that if the Government of one country chose to adopt any fiscal measures which affected the production of a particular commodity which might be exported to the other, it was no infraction of the principles of Free Trade for that other country to take counteracting measures, so as to reduce to a nullity the action of the first country. If that were Free Trade, he could only say it was not the way in which it had been understood in this country for the last 30 years. He could point to case after case in which the statesmen of the country had refused, on the grounds which the hon. Member himself had advanced, to take any of the counteracting measures he had advocated. He would mention one or two of these more particularly. Everyone knew that after the negotiation of Mr. Cobden's Commercial Treaty a discussion arose as to the manufacture of paper in this country. It was then said that our manufacturers were placed at a disadvantage because they could not freely obtain the raw material for paper in the best market. That argument was brought before the House again and again, and numberless examples were given of the decline of the paper-making industry in consequence of our manufacturers being debarred from the best available market for the raw material; but the House, though strongly urged to do so, refused to take any counteracting action. Then, again, he might take the case of the duties on the importation of foreign corn. Those who had read or who remembered the history of that contest knew very well that those duties were defended on many grounds, and especially on the ground that the English producer was subject to legislative impositions from which his foreign competitor was free, and that the tax was designed not to disturb the natural course of trade in corn, but simply to equalize the fiscal difficulties of its production at home and abroad. That contention, however, had never been regarded with favour by the House. He came to another and even more pertinent case, the case of sugar itself. Few persons now remembered the contest waged on the question of the equal duties on slave-grown and free-grown sugar; but not till after long argument was it decided that both should be admitted on equal conditions. The argument in that instance was of a moral as well as fiscal character; and in particular the argument that the slave owners, who could command cheap labour, were unduly favoured was repudiated by the House. It was most strongly urged that the laws sanctioning slavery in Cuba and Brazil gave the sugar planters of those countries cheaper labour than our own planters could command, and differential duties should be maintained to neutralize this artificial bounty, tainted as it was in its odious origin; but Parliament abolished all differential duties. Why, then, should they now, in consequence of the action taken by the Continental Governments, depart from their ancient principles and re-establish something resembling Protection? The old Free Trade principle was to buy in the cheapest and sell in the dearest market; but would anyone contend that this was not an attempt to prohibit purchase in that cheapest market? And that prohibition was said to be no infraction of the principles of Free Trade and no injury to the consumer! They were asked to tax the whole body of the consumers in order to keep up the prosperity of a refining district, and to do so was said not to be repugnant to the doctrines of Free Trade. Now, when there was an Excise duty on a commodity manufactured here, we imposed an equal Customs duty on an article manufactured abroad, in order to protect the Exchequer from the loss that would otherwise ensue, and the principles of Free Trade were not violated when Excise and Customs duties went together. But it was not so with the proposal of the hon. Member, and the House would see that it was contrary to all those principles. The price of refined sugar would be raised, and the difference would be received by the Exchequer in respect of imported sugar; but it would be pocketed by refiners in respect of home-refined sugar, and it was for this very purpose that the proposal was made. He would say a word on the practical difficulty of the examination and investigation to which the Government had consented. They were to have a Select Committee which, according to the amended terms of Reference, was to begin its work by examining into the operation of any drawbacks existing in other countries. It certainly was very remarkable that such a Committee should attempt so extensive an inquiry; and, considering that it was a disputed question among the French themselves, they could hardly expect a Committee to determine the point at issue. Nor was the intended result less singular, for the Committee was expected to enlighten and instruct the whole French people on a matter on which their Government had made so elaborate an inquiry, and yet had told them nothing. But if the investigation proved successful, the same thing would have to be done with respect to Holland, Belgium, Austria, and Russia. And even when the facts were all ascertained, what would be done? Was it not evident that a distinct duty would have to be established for every one of the different countries, and that the same duties would not suit equally France, Belgium, Holland, Austria, and Russia, though, of course, it would be absolutely impossible to levy the different duties for each particle of the sugar from the various countries? As for the suggestion made by his hon. Friend the Member for the Tower Hamlets (Mr. Samuda), it was preposterous to suppose that this country would ever prohibit the importation of sugar in order to force the French to adopt the system of refining in bond. Our sugar refiners professed to have discovered that this refining in bond would be the solution of all their difficulties. But when the contest over the sugar duties was raging in this country 20 years ago, the same refiners declared that refining in bond was practically impossible; and the difficulty of refining in bond had, he took it, been found insuperable in France also. It was questionable whether the difficulties of the sugar trade in this country depended on the French system of bounties at all. From a very carefully-written book on the Agriculture of France by Mr. Richardson, he learnt the other day that a French refinery for cane-sugar had been obliged, in order to pay, to transform itself into a refinery for beetroot-sugar, owing to the fact that sugar could now be refined up to a certain point more profitably in the country of its origin than in that of its consumption. That fact seemed to him of great significance. Within the area of France the bounties had no operation. Nevertheless, even in France, there was that difficulty of refining cane-sugar at a profit. The fact seemed to him to explain in a large degree the difficulties of sugar refining in this country. The figures of our own trade showed that the importation of unrefined sugar into England was increasing; that the exportation from West India was not diminishing; and the increase in the importation of Continental sugar was explained by the immense increase in the consumption of sugar at home. Trade was changing its form, but not its quantity. Refiners found their business leaving them, but there was no falling off in the consumption of sugar. In other words, notwithstanding the difficulties of the refiners, there was no damage done to trade, taken as a whole. For all these reasons, the Committee now asked for ought to be rejected. Its appointment could only lead to mischief. As to the educational influence of the debate, he was afraid it would be just this—that Europe and America would believe that the English House of Commons was uncertain whether Free Trade was or was not a good thing, and that Canada would be encouraged to proceed in the path of Protection on which she had entered. The House of Commons was going to offer Canada a defence for her policy; and he, for one, begged to protest against such a beginning of mischief.

MR. NEWDEGATE said, it was evident that the hon. Member for Liskeard (Mr. Courtney) was unreservedly devoted to the doctrine of what he called political economy, and deprecated the appointment of the proposed Committee, because he feared that investigation by a Committee would too severely test the application of the doctrine or the theory to which he was so devoted. The hon. Member had also said that he was fearful of what might be the educational effect of the present debate. The prominent feature of the debate seemed to be that the hon. Member, who arrogated to himself an exclusive devotion to—nay, an almost unnaturally keen perception of—the doctrine of political economy, was terrified at the very idea of having the application of this doctrine to a particular branch of industry in this country tested by the inquiries of a Select Committee of this House. The hon. Member seemed to imagine that this country had, unreservedly and for ever, adopted the fundamental doctrine of political economy, "buy in the cheapest and sell in the dearest market." Who disputed that maxim? He (Mr. Newdegate) certainly did not. But the circumstances in the present case were these—that the Governments of France, Austria, Russia, and the United States had not only proclaimed, but were practising, an opposite system. They had reverted to the system of Protection. He did not know whether or not the writings of Adam Smith had been forgotten by modern political economists, who despised quotations from the works of his pupil, Ricardo. Adam Smith showed that the extreme of a protective policy was manifested by the granting bounties upon goods exported. Adam Smith himself admitted that if, by the granting of bounties, or by prohibiting the admission of the produce of another country, one foreign country interfered with the freedom of trade of another country, to that extent the country whose industry was thereby injured was absolved from the doctrine he had generally enunciated against the imposition of import duties. He (Mr. Newdegate) supposed that the hon. Member for Liskeard would not deny that Adam Smith was an authority on political economy. It appeared to him (Mr. Newdegate) that the hon. Member, like many others, had read the three first books of Adam Smith, and had carefully abstained from reading the fourth. He rejoiced that Her Majesty's Government had decided upon supporting the appointment of a Committee to investigate this subject. It had long been his conviction—and he believed there was no other Member of the House who had studied the tariffs of foreign countries more than he had done, for no other man had published a complete Compendium of Tariffs—it had long been his conviction, and that without in the slightest degree denying the truth of the maxim that it was the interest of every country to buy in the cheapest and sell in the dearest market; still, that it was impossible, considering that Free Trade depended upon the constant and reciprocal action of nations and Governments in commercial matters, for this country to ignore the action of foreign Governments upon trade, and that sooner or later the House of Commons would again acknowledge as one, if not the chief, of its primary duties, the necessity of so acting upon Her Majesty's Government that they should not pretend to ignore the action of foreign legislation upon the trade of this country.

MR. LOWE said, he had thought in his ignorance that the Chancellor of the Exchequer was very much to be congratulated on the prudence he showed in answering the deputation on the previous day, because, while the Secretary of State for Foreign Affairs committed himself somewhat to the views of the deputation, the Chancellor of the Exchequer said he would take time to consider of it. He (Mr. Lowe) was afraid that he could no longer pay him that compliment; but he thought they had some reason to complain that they were arguing without knowing the words of the Reference which the right hon. Gentleman wished them to agree to. He confessed he thought they would have a better chance of arguing the matter rightly if they knew what those words were to be. He had listened with attention to the speech of very great ability delivered by the hon. Member for the Tower Hamlets (Mr. Ritchie), and he must say that anything more astonishing than the transformation that came over the argument of the hon. Member in the course of that speech he never heard. The earlier part of it was not very conclusive. The hon. Member did not appear to have any clear idea—any more than anybody else usually did—what was the real, actual, precise nature of the evil against which he was contending. He had endeavoured, but had never been able, to ascertain exactly what the advantage was that the French beetroot-sugars received. The amount had been placed as high as £1,000,000, and the lowest might be £94,000, and between the two they were left at liberty to arrange it at will, and to form their own conclusions. He was in hopes that the hon. Gentleman, who was conversant with the subject, would have been able to have given them some assistance; but he left the matter as dark as he found it. He gave a number of statements, some of which were not reconcilable with each other, and left him (Mr. Lowe) quite unable to come to any conclusion as to the magnitude of the bounties with which they were asked to deal. The hon. Gentleman treated them to a most fervent denial, at the outset of his speech, of the slightest intention to interfere with the received doctrines of Free Trade. That declaration re-assured him very much, because he naturally thought the proposed inquiry of the hon. Gentleman would have been limited to the question of the amount of the bounty which was given to the French and other refined sugars; and that if the worst came to the worst, and the Committee was granted, they would get no information at all. He did not see what power a Committee of the House had in the way of obtaining information, for the Government had tried for years to get information, but without success. But the hon. Gentleman, after those professions, suddenly turned round and launched into what appeared to be the utmost extreme to which it was possible to carry the doctrine of Protection. Now, what was the harm of Protection? Why was it they objected to Protection? It was not because it protected them. Everybody liked to be protected. If that were its only evil, it could easily be borne. The objection to it was that it implied something else besides Protection. They could not get Protection by merely saying that they wanted to be protected. They must make sacrifices in order to get it, and those were the sacrifices which a well-administered country would be the last to make. How did they protect themselves against the superiority of a neighbouring country, whether of soil, skill, position, or whatever it was? They did not merely pass a law saying they wanted Protection; but they took some step, and that step was the institution of a tax. There was the whole sting of it, and yet that was what hon. Gentlemen would not look at. It was by making some article dearer than it otherwise would be—made dearer solely that a small party of the community who dealt in that article might be benefited at the expense of the whole community. That was the most shameful course that anybody could adopt, for it sacrificed the many to the few, and threw obstacles in the way of that which ought to be the common property of all mankind. That was the sting of the matter; and what did the hon. Member for the Tower Hamlets want them to do? He said he could not tell them. He said he would find out. That meant he would find out how much foreign countries gained from the bounties which the French Government, with only £110,000,000 of Revenue, were foolish enough to squander in fostering this industry. He would find that out, and then he would impose a countervailing tax, and yet he said that that had nothing to do with Protection at all. Was it not astonishing that he should put the matter in that way, and yet passed over the sting of the whole thing—the tax—and have dealt only with certain material circumstances which presented a specious appearance? He did not blame him for it; but what he was surprised at, and what was deserving of the highest blame, was that the Government of the country, who were responsible, and who ought to be aware of the great responsibility they incurred and the great necessity there was for watching in the most careful manner the incidence of taxation, should be found lightly, with so little care, to open the door to such a tremendous innovation without giving the House the terms of their proposal. He would ask the House this—when they had found out the exact amount of the bounty received on the hand, and had put the countervailing tax on the other, did they suppose they were going to stop there? Did they suppose that they were going to make this an isolated exception, and that nothing more would be required? Did they suppose that there were not innumerable other cases of industries that were suffering and were oppressed by superiority of climatic advantages, and other causes which they had to struggle against, and often failed and succumbed in the struggle? What did it signify whether that arose from natural causes, or from the perversity of man? The former might have something to do in enabling them to estimate the folly of those who imposed these duties; but, so far as the suffering of the country was concerned, it mattered not one pin what was the cause. If it was a right thing in one particular case to break down those rules we had made for our guidance, and tax the many for the benefit of the few, how could we say it was wrong in others? This case might be the strongest, but weaker cases would be pressed with probably stronger influence, and bit by bit the splendid fabric of Free Trade which had been established by such noble exertions in this country would be hopelessly undermined; little by little it would be broken down as the exigencies of Party might require. That was why he would ask the Government, while it was yet time, to reconsider their decision, and not to enter on a course which might introduce into our legislation a principle which would inevitably overthrow the whole fabric of Free Trade, and make ours a country in which the people would be divided amongst themselves and split up into factions, each claiming to be benefited at the expense of all. He was shocked and grieved at the step the Government were taking. For many years Free Trade principles had been accepted, and he had hoped they would have lasted his life-time. He was one of the oldest Free Traders in the country; but if the Government went on in this way, old as he was, it really looked as if, having seen the rise of Free Trade, he might also live to see its decadence.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I regret very much that, owing to the course of the debate, the words which the Government propose to substitute for the Motion of my hon. Friend the Member for the Tower Hamlets (Mr. Ritchie) have not been laid more distinctly before the House; and I will, therefore, before taking notice of some of the remarks of the right hon. Gentleman who has just sat down (Mr. Lowe), take the opportunity of reading once again the words which we propose should be substituted for the Resolution which my hon. Friend has moved. The words which we propose are these—

> "That a Select Committee be appointed to inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries; and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist."

Now, the right hon. Gentleman (Mr. Lowe) says that he is an old Free Trader, and that he regrets exceedingly and is greatly pained to see that steps are now being taken—apparently, he would have us believe for the first time—to come down from the high platform on which Free Trade principles have been maintained for so many years. I beg to remind the House and the right hon. Gentleman that the course which it is now suggested that we should take is precisely the course which he himself and those who have been his Colleagues have been pursuing for 20 years, and he used that argument with respect to this very article of sugar. I would remind him and the House that up to a very few years ago we had a system of sugar duties in this country, and that that system was regulated not upon the simple principle of taxing all sugar at one uniform rate, but according to a system which was from time to time revised, and revised in concert with other nations, with a view to obtain a fair and equal system of taxation as between nation and nation; and the only object which we now have in view is to insure the introduction of a system, which was sought for in 1860, and which was believed to have been attained in 1864 by a Convention concluded by a Government in which the right hon. Gentleman (Mr. Lowe) was a prominent Member—a system which has been more or less maintained and supported by every Ministry that has ruled in this country since 1860. All that we desire is to attain and maintain the arrangement at which the negotiations of 1864 aimed. The right hon. Gentleman and his Colleagues had been continually pressing upon the French Government, and the Dutch and Belgian Governments, by every argument in their power to modify their system of duties, and to adopt regulations either for refining in bond, or to take other steps, in order to bring about a fair arrangement between the industries of the different countries. Well, I do not know whether that is called Free Trade or not, as we use the term sometimes in a very lax manner. No trade is absolutely free when there are any duties at all connected with it, and nothing will amount to real Free Trade in connection with the question before the House except the doing away with all duties over all the world with respect to sugar. But the object, which I presume, so old a Free Trader as the right hon. Gentleman has had in view in encouraging the negotiations to which I have referred has been to bring about a really fair and equitable system of arrangements between the countries concerned. The hon. Member for Liskeard (Mr. Courtney) laid down the doctrine that we had nothing to do with questions of that kind, and that the only principle which we were to go on was that we should buy in the cheapest market and sell in the dearest. If that is so, what are the hon. Member for Liskeard and the right hon. Gentleman the Member for the University of London to say to the conduct which the latter and his Colleagues have been pursuing for so many years—namely, trying to prevent the country from buying in the cheapest market by endeavouring to induce the French and other Governments to put an end to a system of bounties which was apparently productive of advantage to this country? If the doctrine that we should buy in the cheapest market and sell in the dearest is correct, then we are very wrong to take official notice of this matter; we are very wrong to send Sir Louis Mallet, Mr. Kennedy, or anybody else to Paris or elsewhere, and we are quite wrong to ask the French to do away with their system of bounties. We ought, instead, to encourage them to retain a system of so excellent a character. But that is not the principle which was maintained during the existence of the Government which preceded our own and I will venture to say that even among the most prominent Members of the late Government there are still those who maintain that they were not only perfectly right in the course which they took in 1864, but that even now it is right that such steps as can be taken should be taken to do away with the artificial advantage which the French have. I am going to quote from a Circular issued by the Affiliated Workmen's Associations of Great Britain, and, therefore, I shall not be quoting first-hand; but I remember seeing the letter from which I shall read, and which was one of great importance at the time when it was written, and I have no doubt the extract is substantially correct. It is an extract from a letter written a very short time ago by the right hon. Gentleman, the late Prime Minister, the Member for Greenwich. In it he says—

> "If, as I understand, the circumstances of the case continue unaltered, I think that both the trader and the workman engaged in the business of refining sugar have great reason to complain. My desire is, that the British consumer should have both sugar and every other commodity at the lowest price at which it can be produced without arbitrary favour to any of those engaged in the competition; but I cannot regard with favour any cheapness which is produced by means of the concealed subsidies of a foreign State to a particular industry, with the effect of crippling and distressing the capitalists and workmen engaged in a lawful branch of British trade."

I must assume that those are doctrines perfectly consistent with the laws of political economists, and with the principles of Free Trade, and that they are principles and doctrines which we may accept and apply without feeling any of that shame which the right hon. Gentleman (Mr. Lowe) seems to think we ought to feel for our backsliding in this matter. I therefore wish that we should clear this matter up as well as we can, and that we should, in the first place, agree—if we can agree—upon this point—that it is our object, and ought to be our object, if possible, to get any unfair advantage in the nature of bounties, open or concealed, abolished. Well, when we have agreed upon that, we have two things to consider—First, whether these bounties really do exist, and what is the real effect which they produce; and, secondly, whether there are any means, and, if there are any, what means we can take to do away with that disadvantage? I do not mean to say that you are to assume, if you ascertain that the disadvantage exists, that you are justified in using every means to get rid of it; but you will be justified in considering what means there are by which to obtain its abolition. We have had a great deal of discussion in and out of Parliament upon this subject, and we have had a great many communications with foreign countries, and there has been a great deal of Correspondence; and I think those who have read the Blue Books, and studied the negotiations which have been held on the subject, must see that the question is one of a very complicated character. The right hon. Gentleman refers to something which passed yesterday in another place, and he says that I was cautious and prudent in reserving my opinion as to what the advantages of a Committee might be. Undoubtedly, I was anxious to reserve my opinion; but I did suggest, in a few remarks that I made upon the occasion to which he refers, that I saw some possible advantages in an inquiry instituted in order to clear up matters which I think are very doubtful, and require clearing up. I think there are facts, to which I alluded yesterday, which require explanation, and I should be very glad to have those facts investigated by a competent tribunal. In an open inquiry, to which witnesses can come and be examined and cross-examined, a great deal can be brought out which cannot otherwise be arrived at. There are undoubtedly some startling facts relating to this matter. Undoubtedly there exists great distress in certain places among persons who have been carrying on the trade of sugar refining under certain conditions. But, on the other hand, we certainly see that the imports of raw sugar are increasing in this country; we see that the export of what is called refined sugar has increased; and we see, when we analyze the question, that while there is a great falling off in some parts of the Kingdom—London and Bristol for instance—the very reverse is the case in other quarters; and that, though in some places the number of refineries is diminishing, the output is nevertheless increasing. These points all require investigation, as well as the suggestion that the existing unfavourable circumstances arise not only from the operation of the bounty system, but from other causes too, such as alterations in our system of refining. Well, I do not say whether this suggestion is right or not; but I think it would be very desirable that the points to which I have referred should be thoroughly tested and explained. Then we have the question, what is the real effect and operation of the foreign systems? As to this question there is a good deal of difficulty, and, in spite of the cutting sarcasm of the hon. Member for Liskeard, I believe that a Committee would be able to get a good deal of information on the subject; and I am not at all sure that a discussion conducted in open day by a o mmittee of this House might not have some effect even in foreign countries in opening the eyes of certain classes to the defects of their systems. We know that among the great statesmen who are now the Rulers in France, there are men who are good political economists and have won great distinction in the field of political economy; and we cannot assume that those men will be altogether insensible to the arguments that may be adduced and the facts that may be brought to light in an inquiry such as is proposed. Our view is, that the opinions expressed after an inquiry in Parliament would be an advantage rather than a disadvantage in the prosecution of negotiations with foreign countries. Our object is to continue those negotiations, and we should, therefore, be prudish if we refused to go into such an inquiry for reasons based upon grounds which may never be apparent, or because it is possible that such inquiry may lead to proposals that will be objectionable in their character, or because objectionable proposals may be afterwards made or even adopted in this House which could never be sanctioned. I hold, as strongly as I ever did, that countervailing duties and reciprocal arrangements are open to serious objections, the principal of which is that when a countervailing duty is imposed you can never tell what its indirect effects may be. In regard to the particular trade concerned, no one can tell, when they put on duties for that purpose, what their indirect effect may be; and, therefore, the greatest caution ought to be used before such a step is taken. What we now propose is that a Committee shall be appointed which will go into this question, and which will have the power of inquiring into all the allegations, of ascertaining what the facts of the case are, of bringing those facts before the eyes of the world, and which shall prove to our own people that we are honestly endeavouring to get at the root of the matter. In that way, we may be able to derive information which will assist us in our negotiations with foreign countries. [Mr. Lowe: And to suggest remedies.] Yes, that is so; but there are remedies and remedies, and it will be competent for the Committee to state what in their opinion is the best remedy, and their Report may possibly assist the Government in their negotiations. For instance, here is a case in point to which an hon. Member has adverted. Some little time ago I brought down upon myself—indeed, I acknowledge I was the guilty party in the matter—the wrath of my hon. Friend the Member for the Tower Hamlets (Mr. Ritchie), and some of his clients, by venturing to suggest an improved system of saccharometry, which might be pressed upon foreign countries that were not disposed to adopt refining in bond. I am told by my hon. Friend that saccharometry could only do harm, and could not do any good; but this is one of those points which we wish should be discussed by the Committee, as it may be that if we can hit upon some new principle which may not be objectionable a portion of our difficulties may be removed; and, further, because, a few years ago, the refiners in this country were setting their faces against refining in bond, and arguing entirely in favour of saccharometry. It might be proved that a system of saccharometry might be more acceptable than any other. But I do not think that we ought to go into these remedies to-night; and all I ask is that a Committee shall be appointed to go into this question and all the facts relating to it, and tell us what the best remedies are, so that we may judge of the advantages and disadvantages on the other side. In this course, I can see nothing which in the least derogates from the principles of Free Trade.

Mr. MAC IVER said, that the inconsistencies of the Free Traders were to him perfectly delightful. He thought the Free Trade of the hon. Member for Hackney (Mr. Fawcett) was very much like the Free Trade of the hon. Member for Liskeard (Mr. Courtney); but their view was not that of the sugar refiners, and was not only foreign to his (Mr. Mac Iver's) view, but was entirely opposed to the view which he believed this country was every day coming more and more to believe in. He should not have thought it necessary to have spoken at all on the subject, if it had not been for what fell from his hon. Friend the Member for the Tower Hamlets (Mr. Ritchie). He thought there was some misunderstanding, not only in regard to what was meant by Free Trade, but that the House ought not to accept the view of what Reciprocity was from those who were opposed to it. He wished to say what he meant, and what he believed many other hon. Members meant, by Free Trade and by Reciprocity. He believed true Free Trade was not what had been expressed by the hon. Member for Liskeard. We had tried that system for 33 years in England; but all Mr. Cobden's hopes had been utterly falsified. If those hopes had been realized, we should then have had something like true Free Trade, instead of the miserable Brummagem sham to which the country had been accustomed. He (Mr. Mac Iver) had read with very much surprise a pamphlet written by Sir Louis Mallet, in which that gentleman commenced by saying that he had some difficulty in imagining what was meant by Reciprocity. Before that, he (Mr. Mac Iver) had thought there could not be any reasonable doubt as to what most people meant by Reciprocity. In his amazement that Sir Louis Mallet could not ascertain what was meant by Reciprocity, he could not help wondering whether the Cobden Club possessed such a thing as a dictionary. Surely Sir Louis Mallet might have borrowed Webster's Dictionary somewhere, and found there that the definition given to the word "reciprocity" was "equal mutual rights or benefits to be yielded or enjoyed." He wished to refer for a moment to what other people had said. It was only the other day that he turned up a magazine called *The Nineteenth Century*, and the first thing that met his eye was that Reciprocity was true Free Trade. That was exactly his idea. He did not think true Free Trade could exist without Reciprocity. That which was wrongly called Free Trade—Brummagem Free Trade, as he (Mr. Mac Iver) preferred to describe it—meant, in regard to this sugar interest, the practical ruin of the British sugar refiners for the sake of the theoretical benefit of the consumers. The bounty system had located in France, at a trifling expense, a valuable industry which this country had all but lost. Considering the interests of those who were engaged in the carrying, the buying, and the selling of sugar, he hoped his hon. Friend the Under Secretary of State for Foreign Affairs would, in the negotiations with France, and in the Reference to the Committee, bear in mind the *surtaxe d'entrepôt.* The Under Secretary of State for Foreign Affairs had said he could state the object of the negotiations in a few words; but his hon. Friend could have stated their result in one—namely, "None;" and he might have said that they were never likely to have any result. The reason why we were treated as we were was because the French did not believe we should ever do anything of the nature which the hon. Member for the Tower Hamlets desired. He (Mr. Mac Iver) felt that the sugar refiners had a very hard case indeed; but he could not sit down without expressing his regret that his hon. Friend the Member for the Tower Hamlets, and the hon. Member for Glasgow (Dr. Cameron), who seconded the Motion, should have brought so broad a question forward on the very narrow lines of the sugar refining industry alone, because their case was only one out of many other industries that were being destroyed by unfair foreign competition.

MR. ASSHETON CROSS, in moving the Amendment which had been suggested by the Chancellor of the Exchequer, said, he would take that opportunity of expressing his entire concurrence with all that had fallen from his right hon. Friend. He wished to remark that the Motion of his hon. Friend the Member for the Tower Hamlets did not in any way affect the principle of Free Trade. All Governments in this country had, during the last 20 years, endeavoured to induce foreign Governments to deal with the system of bounties. We had not yet succeeded; but this was no reason why we should not try again to prove to other countries that they ought to alter their system.

Amendment proposed,

To leave out from the word "to," in line 1, to the end of the Question, in order to add the words "inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries; and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,"—(*Mr. Secretary Cross,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. M'LAREN thought his hon. Friend the Member for Liskeard (Mr. Courtney) scarcely did justice to his hon. Friends the Members for the Tower Hamlets (Mr. Ritchie) and Glasgow (Dr. Cameron), when he accused them of speaking against Free Trade and political economy. As he (Mr. M'Laren) understood those hon. Gentlemen, they advocated their proposal on the grounds of political economy and Free Trade. He had been a Free Trader ever since he could remember. He had had the honour of being a member of the Council of the Anti-Corn Law League during the whole of its existence, and yet he held that in supporting the views of the hon. Member for the Tower Hamlets he was not in any shape or way opposing the principles of Free Trade. But while he approved of the Motion of the hon. Member, he was very much dissatisfied with the Amendment which had been moved on the part of the Government. Had that Amendment been proposed without any remarks, he might have allowed it to pass without observation; but the fact was that the Under Secretary of State for Foreign Affairs had taken great pains to show that there were almost insuperable difficulties in connection with the subject, and how hopeless it was to get foreign Governments to concede anything; and he had ended by expressing his opinion that if hon. Members expected Her Majesty's Government to give any sanction to the principle of a countervailing duty they would be very much mistaken. After such a statement as that, it appeared to him that the appointment of a Committee would be very much of the nature of a sham, and he was opposed to all shams. The evidence given before the Committee would appear in a Blue Book, perhaps next Session, and nothing would ever come of it. If he (Mr. M'Laren) had the responsibility of the Motion, he should decline to accept the Amendment; but at it was, he should follow the hon. Member for the Tower Hamlets (Mr. Ritchie), who had taken the lead in the question. After all the unsuccessful negotiations of the past 10 years, for the Government to state authoritatively, as had been done, that they would not take the only step that would bring foreign Governments to their senses, was, in effect, to tell the latter to go on as before for another term of years. It had been urged that this Motion was advocating a perpetual Protection; but it was only a proposal for tentative Protection, to continue only until foreign Governments met us fairly. As the hon. Member for the Tower Hamlets had said, refiners were willing to accept a duty of less than the bounty—say a farthing a-pound weight, which was less than the bounty. If an Act were passed providing that all sugars exported to us from countries granting a bounty should bear a duty of a farthing a-pound, or 2*s.* 4*d.* per cwt., with a provision by which, if Her Majesty in Council should become satisfied that any foreign Government had removed this obstacle to Free Trade, that then an Order in Council should be issued exempting that country from the operation of the countervailing duty. With all deference, he submitted that the operation of such a law would very soon bring foreign Governments to take a common-sense view of the case, and put an end to the grievance. There was an instance of such a countervailing duty of 25 per cent upon foreign spirits manufactured in Germany and Russia, and sent to this country, which gave great annoyance to the manufacturers of spirits in these countries. The natural price of these coarse spirits was about 1*s.* 4*d.* per gallon, and a countervailing duty of 4*d.* was imposed, because of the restrictions and disadvantages under which our distillers laboured, from the Excise regulations required for the collection of the Revenue. Some hon. Members had spoken rather hardly of France, and other countries, for giving these bounties on their own manufactures; but they should remember that we had done the same thing to an enormous extent. Those of them who were old enough to remember would recollect that we gave a bounty of 20 per cent upon the exportation of herrings, with a view of cutting out the Dutch and Norwegians. Now, he wished to ask whether it would have been unjust, or contrary to Free Trade, if the Dutch or the Norwegians, seeing that we had given a bounty of 4*s.* a-barrel upon herrings, had imposed a countervailing duty of that amount? He held that it would have been perfectly fair and right for them to have done so. With regard to linens, we had given a bounty of about 15 per cent upon their exportation; and as much as £300,000 a-year was paid in bounties on the exportation of linens from this country. Now, that was a very large and serious amount; and supposing that the Germans, who then beat us in some markets with certain kinds of coarse linens, had imposed a countervailing duty of 15 per cent on our linens, would that have been unjust, or contrary to Free Trade principles? He held that it would not. He maintained that they ought to test this principle, on a large scale, on something else, and see what the result would be. Supposing the principle were applied to our cotton manufactures, what would be the result? They knew how absurdly the Government of the United States had acted in imposing prohibitory duties on goods from this country, and the great loss that country sustained thereby. Now, if they were to take the unwise step for themselves of giving Protection to the exportation of cotton goods, by a bounty of 15 per cent on cotton goods, as we had done with regard to linens, the result would be to paralyze our cotton manufactures by underselling us in our own markets, and wages would have to be reduced 45 per cent to meet American prices; because wages formed only about one-third of the average cost of cotton goods. If we now allowed one of our manufactures to be destroyed by foreign bounties, another might be attacked in its turn, and unless preventive measures were adopted, a great deal of misery might be caused amongst our industrial population. He was afraid, from a remark made by the Chancellor of the Exchequer, that he had misunderstood a phrase that was commonly used with regard to refined sugar. The right hon. Gentleman had stated that refined sugar was largely exported from the Clyde. That was quite true in a certain sense. They had seen a Circular stating that 20,000 loaves of refined sugar were imported daily into this country. But there were no loaves manufactured in Scotland. The sugar was, no doubt, refined—that was to say, it went through a purifying process, but it was not refined loaf sugar in the sense meant by the Chancellor of the Exchequer; and therefore his argument, based on the export of refined sugar from the Clyde, did not in any way meet the arguments on which the Motion before the House were defended.

Mr. THORNHILL said, he thought that, as a sugar grower in the West Indies, he ought to say a few words on the subject. It was with sugar growers simply a question as to whether they could keep on working, or whether they would have to stop their works altogether, if things went on as they were at the present moment. The exports of Continental beet-sugar into England increased from 80,000 tons in 1868 to very nearly 333,000 tons in 1878. If, therefore, things went on at the same rate for the next 10 years, it would be quite impossible for them to keep their sugar industries going, at all events in the West Indies, as at present there was a very small margin of profit indeed. That would throw a very large population out of work and ruin one of the oldest and most loyal of Her Majesty's Colonies. If it were an independent Colony like Canada, of whose internal political economy the hon. Member for Liskeard (Mr. Courtney) seemed to stand in such horror, it might impose its own duties and do what it liked to protect itself; but being, on the other hand, dependent upon the Mother Country, it must look to her to help it in its time of need. They were already most heavily handicapped by having to compete with the slave-grown sugar of Cuba, which the philanthropists of England were not ashamed to use, though in every other way they would fight tooth and nail against the Slave Trade. It was very hard, therefore, to have to compete in addition with bounty-fed sugar, and the importation of which, under the present arrangement, was contrary to the principles of legitimate Free Trade. He was very glad that Her Majesty's Government had agreed to do something in the matter. He did not think that the most ardent Free Trader in the House would object to the very modest request for a Committee to inquire into the question, which was a real grievance, and not the ordinary grumblings of a disappointed trader.

Mr. W. E. FORSTER said, he did not rise for the purpose of adding to the arguments that had been advanced in the course of the debate upon this question, which he was content to allow to rest upon the speeches of the right hon. Gentleman the Member for the University of London (Mr. Lowe) and the hon. Member for Liskeard (Mr. Courtney). But he wished that the House should exactly understand what would be the effect of their accepting the proposal of the Government for a Committee of Inquiry. He asked whether, in doing this, they were or were not taking a step against Free Trade and in favour of Reciprocity? The hon. Member for the Tower Hamlets (Mr. Ritchie), who brought forward the Motion upon the subject of sugar bounties in foreign countries, had stated the case very ably and clearly from his own point of view; but he (Mr. W. E. Forster) thought he was right in saying that the remedy for the grievances of which complaint was made, to which the hon. Member looked forward, was that of retaliatory duties. On the other hand, the hon. Gentleman the Under Secretary of State for Foreign Affairs appeared to disavow that remedy, and the Chancellor of the Exchequer had given no impression that he was in favour of it. The Home Secretary, also, had made some very encouraging remarks, among which he stated that he trusted the appointment of a Committee would not be considered to mean a step in the direction of retaliatory duties. All this was very well so far as the speeches of Ministers were concerned. He now turned to what had been said by those who supported the proposal for a Select Committee. The hon. Member for Birkenhead (Mr. Mac Iver) evidently believed the appointment of a Committee to be an acknowledgment of those views in favour of Reciprocity which he almost alone in that House stood up to advocate; and he (Mr. W. E. Forster) was inclined to think he was right in his belief. The country, also, would look at it in the same light; especially after the statements of the hon. Member for Edinburgh (Mr. M'Laren), which he (Mr. W. E. Forster) had heard with greater astonishment than he had ever felt at any speech delivered in the House. The view of the hon. Member, if he was right in his recollection of it, was that unless they had Reciprocity, and unless they had counteracting duties, the appointment of a Committee would be very much in the nature of a sham. It was not necessary to weary the House by showing why, in his (Mr. W. E. Forster's) opinion, the establishment of retaliatory duties, as a means of counteracting the effect of the bounties given by foreign Governments on the export of sugar, was a step backwards in the direction of the old principles of Reciprocity. The hon. Member for West Suffolk (Mr. Thornhill), who evidently spoke with a knowledge of the trade, said it was a hard case that the traders in sugar should be injured by these bounties. But how did he propose to meet it? The French Government taxed and robbed its consumers, and it was proposed that we should follow their example and rob our consumers; for that was what the imposition of retaliatory duties actually meant. He wanted to know for what purpose the Committee was to be appointed? The Government said it was not a step towards the imposition of compensatory or retaliatory duties; but their supporters evidently thought they could gain that point. In his opinion, it was better to have a sham than that the Committee should do harm; and as a test of what the Government intended to do, he asked them if they were willing to introduce into their Motion, after the words "steps, if any," the words "other than the imposition of compensatory duties?" [Mr. Ritchie: No, no!] Of course, the hon. Member for the Tower Hamlets said "no" to that; but if the Government did not mean that it should be understood by the country and foreign nations that the Committee was to give effect to intentions precisely opposite to those which they themselves had stated they would agree to the insertion of those words.

The CHANCELLOR of the EXCHEQUER did not think it would be possible to accept the words, although, undoubtedly, they expressed the entire feeling of himself and others that the imposition of compensatory duties was not the right way of dealing with the question; but it would be absurd to propose the introduction of a limitation of the sort proposed into the inquiry.

Mr. HERMON said, he was not disposed to vote for a sham, as the right hon. Member for Bradford described his proposed Amendment. He could not help thinking that those who kept their eyes open would see that there were many in the country who were not quite satisfied with the results of Free Trade, which might yet become a hustings' question; but until the majority of the consumers were ready to submit to a tax upon food, it would be useless to talk about Reciprocity or anything else. He thought that, ultimately, they would consent to that, if they found the price of their labour enhanced in consequence. The question was now simply one of inquiry, and it would be a matter for consideration afterwards whether any of the recommendations of the Committee should be acted upon. He should like to know what was the real question before the House, having regard to the Amendments proposed? He was in a fog, and wished to know what he was going to vote for?

Mr. SPEAKER said that the Original Question must be first put, and in the event of that being negatived the Amendment of the Government would be proposed, and it would then be open to the right hon. Gentleman the Member for Bradford to propose his Amendment.

Mr. LEVESON GOWER remarked, that the House had been given to understand that under no circumstances whatever was the country to be supposed to be willing to sanction a policy of retaliation. That was a very important point. But now the Chancellor of the Exchequer seemed to have gone back upon that declaration. If he had not, why could he not accept the words of the Amendment proposed by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster)? He thought it was most important that it should be thoroughly understood, not only in England but on the Continent generally, that the Government had no sympathy with the Party who were in favour of Reciprocity, or Protection. He agreed with the object which the friends of Reciprocity had in view—namely, more liberal tariffs abroad, though he differed with them as to the means whereby they would obtain that object; and it appeared to him that if the Motion for the appointment of this Committee were carried, without a clear understanding with the Government that there was nothing of Protection about it, great harm would certainly be done to the cause of Free Trade on the Continent.

MR. NORWOOD said, he was not at all surprised that the Amendment proposed by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was so strongly objected to by the hon. Members who were moving for this Committee, for it was now quite evident that their object was to impose a protective duty on sugar, though they seemed anxious to avoid the use of that term. The Amendment seemed to him perfectly reasonable and necessary. The hon. Gentleman the Under Secretary of State for Foreign Affairs distinctly repudiated the introduction of anything like protective duties, and rather taunted his hon. Friend (Mr. Samuda) with suggesting the prohibition of manufactured sugar, on which a bounty had been paid by the exporting country. Yet, after the speeches of hon. Gentlemen opposite, he thought they were bound to divide the House on the question of granting this Committee. It was said that without the extreme powers sought by the hon. Member for the Tower Hamlets (Mr. Ritchie) the Committee would be a sham; but, on the other hand, as they had heard from the Government that they had no intention of proposing protective or retaliatory duties, to inquire into their wisdom would be so much wasted time. But the fact was that the Government did not like to refuse a demand from a large commercial body, which was evidently smarting under a grievance, and so this Committee was to be given as a tub thrown to the whale.

MR. MARTEN could not agree with the speeches of hon. Members opposite. He always understood that the main object of the existence of Parliament was the redress of grievances; yet the hon. Member for Hull (Mr. Norwood) seemed to treat the fact, that a large and important trade, consisting of a large number of persons, who were very much excited by a grievance under which they considered they were labouring, as a matter of no importance whatever. The object of these Gentlemen at present was to obtain an inquiry into their complaints, and to ascertain whether or no there was any reality for this alleged grievance. There were two ways in which that grievance might be redressed. One was to adopt what the right hon. Gentleman called a retaliatory duty, and the other was to persuade foreign nations to adopt some other system than that which they at present pursued. The matter was one affecting the principles of Free Trade collaterally rather than primarily. It was alleged that a foreign nation, desiring to promote a particular trade in its own borders, gave it, as carried on there, a large and important bounty, with the view of fostering that trade in their own country to such an extent that the trade should be destroyed in other nations, and with the expectation that, finally, by means of the peculiar encouragement of this trade, the one nation should possess a monopoly. When they had obtained that, they would then levy prices which would recoup them for the bounty they had previously expended. This point of view was not at all affected by the arguments of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), of the right hon. Gentleman the Member for the University of London (Mr. Lowe), or the hon. Member for Liskeard (Mr. Courtney). At present, no doubt, it was for our advantage in this country, by the generosity of France in paying part of the expense of refining our sugar, by which the consumer obtained it so much cheaper. But, at the same time, the object with which that bounty was given must be remembered. France had no intention to benefit our consumer. The object was to drive competition out of the market, and give one nation the control of the prices. Therefore, not merely from the refiners' point of view, but in the interests of the consumer also, it was the duty of this country to do what lay in its power to prevent this plan being carried out. The principle now adopted was the same as that adopted by the great Napoleon, when he tried to exclude English manufactures from the Continent. Of course, if France and these other countries where bounties were given succeeded in their object, the English refiners would be ruined, their trade broken up, and their work-people dispersed. Then, having no fear of competition before their eyes, those countries would be able to raise prices with impunity. No doubt ardent Free Traders would rejoice to see these men all swept away; there was nothing these gentlemen delighted in more than that theory of buying in the cheapest market without regard to the ruin of your neighbours. But the House must consider the case of the consumers also, who, if this monopoly were established, would suffer severely from the increase in prices. This complicated question could not be dealt with on the simple principle of buying in the cheapest and selling in the dearest market; for he (Mr. Marten) ventured to say, no one in his own village would act upon the principle which Free Traders of the type of the hon. Member for Liskeard wished to establish. They must regard this question of foreign bounties not merely for the present, but for the future. It was not merely a question of obtaining sugar cheaply at the present time. If this system were permitted, a monopoly would be created; and, therefore, he hoped the House would do what in it lay for the prevention of so undesirable a result by passing the Resolution.

Mr. RITCHIE said, he was perfectly willing to accept the Amendment to the Resolution which had been proposed by the right hon. Gentleman the Secretary of State for the Home Department. The Amendment to that Amendment, proposed by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), he could not, however, accept; and if it were accepted by Her Majesty's Government he should deem it his duty to vote against it, for he should decline to have any responsibility in the appointment of a Committee, the inquiry of which would be limited to that degree, if the words proposed by the right hon. Gentleman were added to the Reference, as to amount to a complete and absolute sham. As to a countervailing duty, although he argued that it would be no infringement of the Free Trade principle, yet he saw many difficulties in the way of carrying out that plan. He thought a Committee would be the best means of sifting to the bottom any proposition which was made; and then, if they came to a Resolution assenting to a certain principle, they would have to consider whether there were any practical difficulties in the way of carrying that principle into effect. That was a very different thing from going into a Committee with a foregone conclusion that a certain remedy should not be adopted. He had heard with some regret the remarks of his hon. Friend the Under Secretary of State for Foreign Affairs, who had led the House to suppose that the question of a countervailing duty was one which could not be considered by the Government. But he noticed, also, that that expression of opinion on the part of his hon. Friend did not receive confirmation from anything which was said by the right hon. Gentleman the Chancellor of the Exchequer. The arguments urged by him had been altogether ignored, and refuge had been taken by hon. Gentlemen opposite in the old argument that it was a protective duty which he (Mr. Ritchie) and those who supported him demanded. He should have liked to have heard the hon. Member for Liskeard (Mr. Courtney) support his proposition by some stronger arguments than those which he had actually adduced, and which did not apply to the proposal of a countervailing duty. The hon. Gentleman said the question of a countervailing duty had been often discussed and shown to be merely Protection. The instances adduced by the hon. Gentleman in support of his proposition were three in number—namely, rags, corn, and slave-grown sugar. Not one of those instances applied in the slightest degree to the present case; for a countervailing duty was levied, not against anything grown under natural advantages, but against what was produced under an artificial system of bounties. What the sugar manufacturers wanted to do was to re-establish the natural position of things as between the foreign producers and themselves. They did not fear the competition of the foreigner. If the foreigner could refine cheaper, if his labour was cheaper, let him enjoy that natural advantage; but the English producer wished the Government to prevent the extinction of his industry by the artificial advantages given to his rival. The whole basis of the argument he had used earlier in the evening in regard to a countervailing duty was that if such a duty could not be justified on the ground of political economy it must go to the wall. The hon. Member for Liskeard appeared to discard the authority of Adam Smith, Ricardo, and M'Culloch as antiquated and musty, and to substitute for them a system of his own. For himself, however, he (Mr. Ritchie) preferred the text-books of those great writers to the new-fangled political economy of the hon. Member for Liskeard. The right hon. Gentleman the Chancellor of the Exchequer had completely answered the speech of the right hon. Member for the University of London. The arguments of the right hon. Gentleman (Mr. Lowe) would hold good against their doing anything to get rid of these bounties, and yet the right hon. Gentleman himself had been a Member of a Government which had done all in their power to bring about their abolition. He could not believe that the right hon. Gentleman had taken an active part in doing that which he now said was the worst possible thing for the consumer. It was not good for the consumer to buy anything below its cost price, because the inevitable result of such a course was to drive capital out of the particular trade so affected, and so to enhance prices ultimately. That was to confer a benefit upon the consumer of to-day at the expense of the consumer of to-morrow.

Sir JAMES M'GAREL-HOGG observed, that this grievance seriously affected not only a number of manufacturers and working men in this country, but many persons in their West Indian Colonies; and he was, therefore, surprised to find hon. and right hon. Gentlemen opposite refusing a Committee to inquire into it. Why did they do that? Because they were afraid of the bugbear of Protection. Surely that could be put on one side, and the Committee be left to deal as it chose with a grievance which everyone knew to exist. His hon. Friend (Mr. Ritchie) only asked for fair play; he wanted the whole question investigated by an impartial tribunal, and that he (Sir James M'Garel-Hogg) was sure the House would grant, and not leave the matter unexamined until their manufacturers had been ruined and their sugar plantations thrown out of cultivation.

Mr. BALFOUR said, it was not the fact that the deputation to the Chancellor of the Exchequer on the subject of these bounties had its origin in a desire to introduce Reciprocity or to impose retaliatory duties. He had himself been present on that occasion, and listened with great attention to all that had been said by those who advocated the appointment of a Select Committee, and it appeared to him that the desire expressed by the deputation was for diplomatic action alone; and the noble Lord the Secretary of State for Foreign Affairs had, moreover, stated that it would assist the diplomatic action of Her Majesty's Government, if a Committee of the House of Commons were to report upon the question of the effect of foreign sugar bounties upon the home and Colonial sugar industries. That was the only reason given by any Minister present on the previous day. That being the case, he was unable to see that there was any ground for saying that the Government in any way countenanced or desired a return to Reciprocity. If Free Trade was supposed to be imperilled by diplomatic action, in attempting to induce France, Holland, and Austria to alter their tariffs, that was a course which had also been pursued by all previous Governments. There was not the least doubt that the system at present pursued by those countries had the effect of making sugar cheaper to the consumer. He quite admitted that, and was also prepared to admit that, so long as it lasted, it had precisely the same effect as if France, Holland, and Austria possessed some great national advantage in the production of that article. He therefore agreed with the hon. Member for Liskeard (Mr. Courtney), and the right hon. Gentleman the Member for the University of London (Mr. Lowe), that if any offer should be made by the Governments in question, neither the one nor the other should be allowed to alter the present system of affairs, supposing that the present fiscal arrangements of France, Holland, and Austria were likely to be perpetual. It could not be considered, and it could not be asked, that the present state of things should be treated as constituting a great natural advantage, because that term implied that which was of a lasting character. On such ground, therefore, it could not be demanded that the advantage in the production of sugar, by which consumers in this country benefited, should be taken away. But the reason which justified the last and present Governments in trying by diplomatic means to alter the fiscal arrangements of foreign countries was the fact that if we permitted the sugar manufacturers in this country to be stamped out there was no security that the advantage at present enjoyed by the consumer would be maintained. It might be that foreign countries would, too late for us, see the folly of their ways, and then proceed to alter their fiscal arrangements, thus depriving our consumers of the advantage which they at present possessed. That was a reason for inducing foreign countries, if possible, to alter their systems by every means which the Committee was to be made competent to suggest. He would not say any more in justification of the appointment of a Select Committee than by an allusion to the remarks of the hon. Member for Liskeard, and others, who had, in addressing the House, cast doubt upon the allegation urged by the supporters of the Motion, that we were suffering from the effects of the bounty system. The assertion that the manufacturers in this country should be able to compete with foreign refiners had to be tested, and that was a sufficient reason for submitting the whole case to the investigation of an impartial Committee.

Sir JOHN LUBBOCK wished to ask the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) to reconsider his Amendment, which had come with surprise upon the House after a long discussion. There was no greater advocate of the principles of Free Trade in the House of Commons than he (Sir John Lubbock). The position was this. Certain drawbacks had been granted by foreign Governments, and our own Government had endeavoured through a long succession of years to induce them to establish a better state of things. Now, supposing the right hon. Gentleman succeeded in carrying the Amendment of which he had given Notice, the Government would be much embarrassed in these negotiations. If, as had been stated by the right hon. Gentleman the Member for the University of London (Mr. Lowe), the drawbacks allowed to the exporters of sugar in foreign countries constituted a great advantage to the consumers in this country, foreign Governments ought to be induced to do more in that direction. The Government of which his right hon. Friend was so distinguished a Member endeavoured to induce foreign countries to diminish the drawbacks. But if it was laid down that, under no circumstances, would we impose countervailing duties, we should be acting in the same way as when we told the Turks that we wished them to take a certain line of action, but, at the same time, that it would make no difference whether they did what we wanted or not. He (Sir John Lubbock) saw very great difficulties in the question of countervailing duties; but, at the same time, he thought it would be better to leave the whole question open to the Committee to suggest any course which might appear to them best, after considering the evidence that would be laid before them. A strong feeling existed on the part of our Colonial possessions, which were precluded from negotiating with foreign Governments on the subject; for they could not go to the foreign Governments and endeavour to get them to reconsider their arrangements. The question was one in which the West India Colonies were very deeply interested; and it was not, in his opinion, much to ask the House to allow the Committee to consider it. If the Amendment of the right hon. Gentleman the Member for Bradford were carried, we should be prevented from negotiating with foreign countries, and be committed to a course which many thought would lead to considerable difficulty. He therefore trusted that the hon. Member would reconsider his proposal.

Question put, and *negatived.*

Question proposed,

"That the words 'inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries, and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,' be added, instead thereof."

Mr. W. E. FORSTER proposed to insert in the Amendment, now before the House, after the words "steps, if any," the words "other than the imposition of compensatory duties." In doing that, he believed he was really carrying out the wish of the Government, as expressed by the Chancellor of the Exchequer, who distinctly stated that he did not contemplate the imposition of compensatory duties. He therefore claimed the vote of the hon. Member for Hertford (Mr. Balfour), who took the same ground, and limited the Reference to the Committee in precisely the same way as was now proposed, when he said that "there ought to be an inquiry as to how far diplomatic action should be taken."

Mr. BALFOUR: I said that the means proposed by the deputation was diplomatic action.

Mr. W. E. FORSTER: Exactly. The hon. Member approved of diplomatic action, and quoted the words of Lord Salisbury in favour of the appointment of a Committee; at the same time, he strongly disavowed a desire for retaliatory duties. On those grounds, therefore, he (Mr. W. E. Forster) claimed the vote of the hon. Member. But he did not take the position that the bounties should be continued. It might be true that we got our sugar for the time a little cheaper while they continued; but the general result of their removal would, in his opinion, be an enormous advantage. That, however, was a very different matter from our proposing to meet those bounties by a tax on our own consumers for the purpose of making sugar dearer. The discussion of this evening had confirmed his belief that if we admitted the principle of looking forward to meeting the foreign bounties by retaliatory duties we were to that extent giving up the principles of Free Trade and returning to the principles of Reciprocity. He agreed with one of the remarks of the hon. Member for Preston (Mr. Hermon), that the principle of Reciprocity was concerned in the question before the House. The hon. Member for Birkenhead (Mr. Mac Iver) was clearly of that opinion. He (Mr. W. E. Forster) believed that some employers held the view that a tax should be imposed upon food; but the enormous multitude of the working classes thought the country knew very well what was meant by a food tax, and had not the slightest intention of reverting to it; and he, therefore, desired to make his protest against that course. The hon. Baronet the Member for Maidstone (Sir John Lubbock) had said that by the admission of the words of his (Mr. W. E. Forster's) Amendment the Committee would not be able to report in favour of retaliatory duties; and that, therefore, the Government could not use the threat of imposing them. He (Mr. W. E. Forster) thought that in matters of Free Trade, as in other international matters, an empty threat would have no weight; and if we really believed that the country did not intend to resort to retaliatory duties—that was, to levy a tax—we had better let foreign countries know it at once, and not practise the folly of talking of what we did not mean to perform. The present question, especially in the state of depression of trade throughout the country, was one of a very serious character, which above all required that men should act according to their convictions, and know exactly what they were voting about—voting, in fact, for what they meant to do, and not for the purpose of making empty threats to foreign Governments. He moved to limit the inquiry of the Select Committee by the addition of the words "other than the imposition of compensatory duties."

Amendment proposed to the said proposed Amendment,

To insert, after the words "if any," the words "other than the imposition of compensatory duties."—(*Mr. William Edward Forster.*)

Question proposed, "That those words be there inserted."

The CHANCELLOR of the EXCHEQUER wished to point out that by the Amendment of the right hon. Gentleman (Mr. W. E. Forster) the Committee would be placed in an absurd position, inasmuch as they would be precluded from examining into some suggestions that might be made, if only to show their fallacy. By carrying his Amendment, therefore, the right hon. Gentleman would be in the position of the gentleman who shut his park-gates to keep out the crows; for, while it withdrew from the consideration of the Committee the question of compensatory duties, it did not exclude other suggestions perhaps as wild and foolish. The position of the Committee would be absurd, because if anybody began to suggest compensatory duties it would be impossible to cross-examine him. And, again, if anybody were to propose that we should grant a Vote on our own side, in return it would be competent to the Committee to go into the question.

Mr. NEWDEGATE said, that nothing but an uneasy conscience could so alarm the right hon. Member for Bradford

(Mr. W. E. Forster) at the mere prospect of having an inquiry into Free Trade and compensatory duties. The right hon. Gentleman was consistent; he objected to this country asserting her position in the international controversies as to the boundaries of States, and on questions upon which the peace of Europe hinged. According to the right hon. Gentleman, this country was never to assert herself. Our representatives were to occupy the position of beggars throughout the world—never to hint the possibility of this country's imposing compensatory duties lest—and it was a strange fear — we should make the French Government indifferent to our representations.

Mr. SAMUDA said, it appeared to him that he had been thoroughly misunderstood. He conceived he was making the most liberal proposal possible in putting forward his suggestion, and yet he had been told that he was proposing absolute prohibition. He had said that he would maintain absolutely free entry for sugar from foreign nations; but that the concession should be accompanied with a demand that they should refine in bond—that was insisting on what France and Holland had both agreed to do, and the only method, in his opinion, which could be adopted between one country and another to put them on an equal footing.

Question put.

The House *divided:*—Ayes 43; Noes 70: Majority 27.—(Div. List, No 71.)

Mr. E. JENKINS said, that he had to state that three hon. Members were in the Lobby, but their names were not counted. They were himself, the hon. Member for Barnstaple, and another hon. Member.

Mr. SPEAKER said, that the number of the hon. Members who passed them was counted by the Tellers, and they made a report to the House. He must point out to the hon. Member that the numbers having been reported to the House by the Tellers, and not challenged before the report was made, those numbers must be accepted.

Sir WILLIAM HART DYKE thought he ought to give the House some information with regard to the matter. Whilst he was advancing with the Paper in his hand to read out the numbers, his hon. Friend the Member for Dundee (Mr. E. Jenkins) stated to him that he had been left out; but he did not say from what side. It was impossible, then, to attend to what the hon. Member said, because he did not know from what Lobby he had been shut out. The difficulty he (Sir William Hart Dyke) was placed in for the moment was this—that he was actually advancing to the Table to read out the numbers, when his hon. Friend drew his attention to the fact that he had been excluded from the Division. If he had come one instant before that, the one or two Members who had been detained in the Lobby, and did not come before the Tellers, could have had their names added to the list. But when they did come forward, the names had already been given to the Clerk at the Table, and he could not deal with information coming to him at the very last moment. This was an instance of hon. Members coming forward at the very last instant, and saying that they had been left out of the Lobby for some reason or other, when it was impossible to alter the figures.

Question,

"That the words 'inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries, and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist,' be added after the word 'that' in the Original Question,"

put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Resolved, That a Select Committee be appointed to inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries, and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist.

And, on May 20, Committee *nominated* as follows: — Mr. Bourke, Mr. Alexander Brown, Mr. Sampson Lloyd, Mr. Bell, Mr. Thornhill, Mr. Stewart, Mr. James Corry, Mr. Norwood, Mr. Balfour, Lord Frederick Cavendish, Sir James M'Garel Hogg, Mr. Collins, Mr. Orr Ewing, Mr. Morley, Mr. Onslow, Mr. Courtney, and Mr. Ritchie:—Power to send for persons, papers, and records; Five to be the quorum.

ORDERS OF THE DAY.

COMPANIES ACTS AMENDMENT BILL.

(*Sir John Lubbock, Mr. Coope, Mr. Herschell, Sir Charles Mills.*)

[BILL 102.] SECOND READING.

Order for Second Reading read.

SIR JOHN LUBBOCK, in rising to move that the Bill be now read a second time, said, that it proposed to make it lawful for the directors of any public company, with the consent of the shareholders, to return money available as dividends or bonus to the shareholders in reduction of the paid-up capital of the company. Under the existing Companies Acts it was impossible to do this, except by means of a very elaborate machinery, which took up a great deal of time and caused considerable expense. The Bill also proposed to deal with cases where it was desired to return undivided profits to the shareholders in reduction of the paid-up capital. It was clearly an advantage to the public to have any sum which might arise so applied in reduction of the paid-up capital, because the public would thus obtain an additional security to that amount. In other words, the unpaid-up capital of the company would be increased to the same amount as the sum returned to the shareholders. It was clear that if the money were only paid as dividend or bonus it would give no additional security to the creditors of the company. Supposing the unpaid capital of a company amounted to £10 per share, and a sum of £1 per share became available for distribution as dividend or bonus, and it was applied under the Bill in reduction of the paid-up capital of the company, the shareholders would obtain an unpaid capital of £11 instead of £10. As the proposal, therefore, gave the public an additional security, and, at the same time, was advantageous to the company as tending to check speculative operations, he hoped the House would agree to the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Lubbock.*)

MR. J. G. TALBOT was of opinion that the provisions of the Bill would be beneficial. It might, however, be necessary for the Government to propose some Amendments; and in consenting to the second reading of the Bill, on behalf of the Board of Trade, he did so on the understanding, which he was sure would meet the views of his hon. Friend the Member for Maidstone, that he would be at liberty, if necessary, to propose Amendments in Committee.

MR. COURTNEY said, that the Bill had been spoken of as if it applied only to limited liability companies; but it did apply to all companies. It was evident that the effect of the provisions on non-limited companies would be exactly the reverse of its effect on limited liability companies. He did not see anything in the Bill to confine its operation to limited liability companies.

SIR JOHN LUBBOCK said, he did not think that the House would wish him to go into the details of the measure on the present occasion, and he would content himself by saying that in no case could the public be damaged by the provisions of the Bill. It would enable the directors, under certain conditions, to deal with money as a return of capital instead of treating it only as dividend or bonus. In no way could a non-limited liability company be damaged, and in every case of a limited liability company the result would be to give the public additional security to fall back upon proportionate to the capital returned.

Question put, and *agreed to.*

Bill read a second time, and *committed.*

SUPPLY—REPORT.

Resolutions [21st April] *reported.*

Resolutions 1 to 8, inclusive, *agreed to.*

Resolution 9.

SIR HENRY SELWIN-IBBETSON said, that he had promised to make some inquiries with reference to a building adjoining the Mint. He had found that the building in question had been leased since 1852 to Messrs. Rothschild, who were now carrying on therein the operations of refining. Those operations were carried on by Messrs. Rothschild entirely as a private firm, and totally unconnected with the Mint. He might further state that there would be no provision in the new Mint, when erected, for any refinery; in fact, that was a branch left entirely in the hands of private firms.

Mr. DILLWYN asked what rent was paid for the house in question?

Sir HENRY SELWIN-IBBETSON: £800 a-year.

Resolution *agreed to.*

Remaining Resolution *agreed to.*

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, 23rd *April*, 1879.

MINUTES.]—Select Committee—Co-operative Stores, Mr. Arthur Mills and Mr. Sheil *added.*

Public Bills — *Ordered* — *First Reading*—Animal Vaccination* [131]; Statute Law Revision (Ireland)* [132]; Local Government (Ireland) Provisional Orders (Waterford, &c.)* [133].

Second Reading—Voters Registration (Ireland) [29]; Ulster Tenant Right [37], *put off;* Bills of Sale (Ireland) [45]; Trustee Acts Consolidation and Amendment* [106]; Inhabited House Duty and Income Tax* [38]; Municipal Franchise (Ireland) [74], *debate adjourned.*

Withdrawn—Joint Stock Banks (Auditing of Accounts) (Scotland)* [58].

QUESTION.

NATIONAL SCHOOL TEACHERS (IRELAND)—LEGISLATION.—QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, When the Bill dealing with the claims of the Irish National Teachers will be introduced; whether it is time that the scheme for providing pensions for the teachers of Irish National Schools, which has been for some years in preparation, has been rejected by the Treasury or the Government, and whether instructions have been given to prepare another scheme much less beneficial to the teachers?

Mr. J. LOWTHER: Sir, the state in which the question alluded to by the hon. and learned Gentleman now stands is as follows:—It was referred to an actuary, whose Report was received last February by the Treasury, and was forwarded to me by that Department in March. It appeared upon examination that the scale of proposed pensions had been framed upon the old scale of remuneration, and, therefore, required re-adjusting in accordance with the proposed new scale of payment. This is now being gone into. The hon. and learned Gentleman inquires whether, or rather he assumes that, the amended scheme will be less beneficial to the teachers than the original draft. That is a question I can scarcely go into now, though I may point out that the amended scheme is based upon the proposed augmented class salaries, which is manifestly a fairer and more equal basis upon which to calculate pensions than could be afforded by a fluctuating scale of results fees, which has, with good reason, been so frequently denounced by the teachers and their friends as unequal in its application, and as operating injuriously to many, especially those whose lot is cast in thinly-populated districts. As to when the Bill will be introduced, we must, of course, wait till the scale has been corrected and considered; but I hope this will not be long.

ORDERS OF THE DAY.

VOTERS REGISTRATION (IRELAND) BILL.—[Bill 29.]

(*Mr. Meldon, Mr. Butt, Mr. Mitchell Henry.*)

SECOND READING.

Order for Second Reading read.

Mr. MELDON, in moving that the Bill be now read a second time, said, that the measure was of a very moderate character, and dealt with the subject of the registration of Parliamentary voters. It was, so to speak, divided into two parts. The first part, comprising seven clauses, merely proposed to assimilate the law in Ireland to that in England; and, conformably to some Amendments which were put down on the Notice Paper last year, he had done his best to make the provisions of the Bill identical with those in the English Act. The remaining clauses proposed to make some alterations in detail in the existing registration law of Ireland, which would, he thought, be admitted to be improvements. But the main principle of the Bill was contained in the first seven clauses. The necessity for some alteration of the law with respect to the serving of objections in Ireland he could demonstrate in a few words. The lists which came up for revision before the Revising Officer in Ireland were three. At each revision the register of the former year formed a part—that was to say, the names of all persons who were on the register for the preceding year were brought up before the Revising Officer in a separate list, which was technically known as the old register. In addition to this list, there was one prepared with the greatest possible care by the Clerks of the Peace in counties, and by the Town Clerks in the boroughs. For this list the Clerk of the Peace was directly responsible; but he had, as assistants in their preparation, the poor rate collectors, who were thoroughly conversant with the names of the persons who paid rates and occupied tenements throughout the registration district. It was the duty of the Clerks of Peace in counties, and of the Town Clerks in boroughs, to place upon that list every occupier rated in counties at £12, and in boroughs at £4 and upwards, and who possessed the other necessary qualifications, and it came before the Revising Barrister, and was generally known by the name of the supplementary list. There was a third list—namely, that of claims of persons who, thinking they were entitled to the franchise, claimed to be put upon the register, but who were not considered to be so entitled by the officials. He might dismiss that list altogether from consideration, because the Bill did not deal with it in any way. But these were the lists which came before the Revising Barrister in Ireland for revision, and upon which the question as to the right of the franchise was decided. Now, what was the state of the case in England? There they had, of course, the names that appeared upon the old register placed on the list by the proper authorities; and, in addition to this, the overseers of the poor were bound to prepare a list with the names of all persons whom they considered to be qualified as rated occupiers, and as fully qualified in all other respects. For all practical purposes, the supplementary list and the old register in Ireland were completely analogous to the list prepared by the overseers in England. In England there was also the list of claimants; but, for the reason he had already stated, it was not necessary to touch upon that list. Such was the state of the law, so far as the preparation of the lists were concerned, in England and Ireland. Owing to the great care with which the supplementary list was prepared, it was taken to be *primâ facie* evidence of the right of those persons whose names were upon it to exercise the franchise. To enable a man to be put on the list as an occupier he must be rated to the required amount, must have paid his rates up to a certain date, must occupy as tenant or owner, and must have occupied for a certain time. Why should he call attention to the superiority of this list over the English list prepared by the overseers? It was in order to point out that a list, the superiority of which was admitted by the Legislature, should not be placed in any worse position than the list prepared in England. Now, what was the grievance that he sought to redress by the passing of this Bill? Wherever the Parliamentary registration of a county or borough was hotly contested, it was the invariable practice on either side to object to the name of every person upon the list whose political opinions were different from those of the person or association conducting the revision—that was to say, the Conservatives objected to every man whose name appeared on the supplemental list as prepared by the officials if he were not a Conservative in politics; and, on the other hand, the Liberals objected to the name of every person whose opinions were not Liberal; and in that way, when the lists come up for revision, every man upon them was objected to, whether he was or was not qualified. He would just call attention to the way in which this system was carried out in the County and City of Dublin. The two organizations did their work remarkably well. They sent out Inspectors on the one side and the other, and they ascertained the qualification or want of qualification of almost every person whose name appeared upon the supplementary list; but not content with that information, and with objecting to those whose qualification they were not certain, they objected indiscriminately to every man whose name appeared on the list. He thought that was a most unfair and a most unjust thing to do. It did not tell for one side more than for the other. It was a practice that was indulged in by both sides, and it was one that ought to be checked. It was found, both by Conservatives and Liberals, that, in the first place, it increased the expenses of the revision to a very alarming extent, and that, in the next place, it was practically useless, because both one side and the other succeeded in striking off numbers of their political opponents; and, in the end, the result was simply to keep men off who were properly qualified, but who, owing to the way in which objections were scattered broadcast, were, on one pretext or another, not able to be put upon the register. It was to meet that system that this Bill was introduced. The way in which it was met in England was this. It was not sufficient for a person objecting to a name upon the list of rated occupiers prepared by the overseers to say, "I object to your name appearing on that list;" but he was required to state specifically the grounds of his objection; and it was further provided that the objections should be treated as separate and distinct from one another, and that whatever costs the Revising Barrister might think it necessary to give should be given with respect to each objection. The result of that provision was, that every man in England who was objected to attended the Revision Court with the full knowledge of the case which he had to meet, and if he succeeded in displacing the objection he was entitled to his costs. He referred just now to the state of registration in the County of Dublin. There were in that county, in 1874, 27,000 tenements rated at £12 and upwards. Of course, it could not be expected that this number of tenements should be represented by 27,000 voters. There must be a large reduction made for duplicate tenements and for female occupiers. Accordingly, a deduction was made by the Commissioners of Valuation to the extent of 12,000, bringing the number down to 15,000 persons that the Commissioners estimated were entitled to the franchise in the County of Dublin. Of that 15,000 persons, 4,300 were registered. That was a very alarming and startling fact, and ought to lead to some inquiry as to how such a state of affairs had been brought about. He believed it was brought about by two causes—namely, by groundless, and frivolous, and broadcast objections, and by the want of proper facilities for enabling persons entitled to the franchise to get upon the register, in consequence of the very small number of revising courts that were held. He would give the result for two years. In 1872, the Clerk of the Peace and the poor rate collectors returned upon their supplemental list the names of 3,825 rated occupiers. He found that of that number objections were served on the one side and the other to the extent of 3,736; that the objections made by the officials were 248; and that upon the revision, out of a total of 3,825 names, only 247 were admitted as entitled to the franchise, leaving the balance of 3,578 persons out in the cold. That was a very astonishing fact, taking into account that there were 15,000 persons entitled to vote, that there were only 4,300 on the register, and that there was a supplementary list nearly as large as the register, and of that list there was only the number of persons whom he had mentioned admitted to the franchise. In 1873, the supplementary list contained the names of 3,974 persons. There were objections served to the number of 3,901, official objections 177; and there were admitted at the registration, just upon the eve of a General Election, but 171 persons. That was the state of affairs which existed not only in the County of Dublin, but in other registration districts in Ireland. It appeared that in the County of Carlow the names returned, the number of persons struck off, and the number of objections served, bore the same proportion to one another as they did in the County Dublin, although the numbers were not so large. All he asked for in the first seven clauses of the Bill was that the law as it had existed in England for a great number of years past should be extended to Ireland. The hon. Member for Londonderry (Mr. Charles Lewis), whose acquaintance with the Registration Laws in England was not surpassed by that of any hon. Member of that House, last year placed on the Paper a Notice of opposition to the second reading of a Bill similar in principle to the present. But when the Bill came on for discussion, that hon. Member, after giving full consideration to the matter, said he would not move his Amendment, but that when the Bill came into Committee he would move the omission of one of the clauses. He (Mr. Meldon) might say, at once, that the clause to which the hon. Member at that time objected no longer formed a portion of the Bill. The hon. Member added that he had no objection to the Registration Law of Ireland being assimilated to that of England; but he objected to its being carried further. Now, the only clause to which upon that occasion the hon. Member objected had been excised from the Bill. It was a clause which made it compulsory on the Revising Barrister to give costs in every case to the maximum extent of £5, leaving the minimum to be decided by himself. Therefore, he claimed that, upon the hon. Member's own admission, the Bill ought to pass this Session without any opposition. In the present Bill, too, in order to avoid all difficulty and to meet his opponents in the fairest way he could, he had, as far as the drafting was concerned, adopted certain other Amendments. These were the only observations he thought it necessary to make upon the principle of the Bill. The 8th, 9th, and 10th clauses made poor rate collectors responsible for the duties which were at the present time discharged by them, and the 11th clause provided that they should receive remuneration for doing this very onerous work in the same way as they were paid for preparing the lists of jurors. The 12th section provided that the County Court Judges, having already the power to issue summonses for the attendance of witnesses, they should be entitled to impose a pecuniary penalty for non-attendance. The 13th clause was a very important one, providing, as it did, for the removal of one of the greatest grievances that existed at the present time. It provided for an increase in the number of the Revision Courts. Under the existing law it was provided that every voter should have a polling-station within four miles of where he resided; but when a man wanted to get upon the list as a voter, he was frequently obliged to travel in the County of Dublin from seven to ten, and even more miles, and in other parts of Ireland from 18 to 20 miles. The provision in the Bill on this subject was that there should be a Revision Court in every polling district, unless the Lord Lieutenant should consider it undesirable or inexpedient. He had, perhaps, trespassed upon the attention of the House longer than he ought to have done, and he now left the Bill with the greatest confidence in the hands of the House. It was merely a question of assimilating the law of England and Ireland; and he trusted the House would not refuse to read it a second time, and would give facilities for passing it into law this Session.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Meldon.*)

Mr. BRUEN did not rise for the purpose of moving any Amendment to the second reading of the Bill, but merely for the purpose of making a few remarks upon the Bill. It was perfectly true that the hon. and learned Gentleman (Mr. Meldon) had adopted some of the Amendments which were suggested last year; but, at the same time, some Amendments which he considered to be of vital importance had not been included in the present measure. This was especially so in the case of the first enacting clause, and the Amendment which had been proposed by his hon. Colleague to the similarly-worded clause of a former Bill had been ignored. The hon. and learned Member had drawn attention to the supplementary lists and the register of voters in Ireland. Those lists were prepared separately by the Clerk of the Poor Law Union, and he must confess that he had always considered that the supplementary list must only be considered as a list of claimants. The first qualification that was necessary to entitle a person to the franchise was that of being a rated occupier, and paying the rates. No doubt, the Clerk of the Union officially said that those two elements had been complied with in returning the names upon the supplementary list; but there were also other qualifications necessary for the franchise. One of those was the length of time which an occupier had been in possession. It was, of course, impossible for the Clerk of the Union to say of his own knowledge whether an occupier had been in possession of the occupancy for 12 months. Then, again, it was impossible for the Clerk of the

Union to say whether a rated occupier sub-let so much of his holding as to bring his own interest therein beneath the valuation necessary to secure the franchise, or whether a person lost his right by mortgaging his interest in a farm. The hon. and learned Member had said that in the County of Dublin there were 15,000 who were not, but who ought to be, in possession of the franchise. Seeing that there were only 4,300 on the register, and that the supplementary list contained 3,825 names, a very startling discrepancy existed. It seemed to cast a reflection on the Clerks of the Union with regard to the manner in which they performed their duties; but his own opinion was that these officers did their duty very well. He objected to the hon. and learned Member treating the supplementary list in the same manner as the register of voters. Although he should be perfectly willing to support the hon. and learned Member in imposing the proper penalties on those who made frivolous and unnecessary objections to those whose names were on the register, yet he thought that those on the supplementary list should be prepared to come forward when objected to and prove their claim. He should say that the supplementary list ought to be dealt with in the same manner as the list of claimants was dealt with. There was no just reason why the list of owners of property should be placed in a worse position than those who were merely rated occupiers; but this the Bill would do. He altogether objected to raising the poor rate collectors to the level of the Clerk of the Union, and placing upon them the extreme responsibility which the Bill proposed. In the great majority of districts the poor rate was collected by deputies, and they were not the class of men who should be intrusted with duties so important as the preparation of registration lists, which formed the basis of the electoral roll. As for the proposal to increase the number of Revision Courts, the Lord Lieutenant already possessed the power of appointing additional courts upon proper representation being made to him. In his (Mr. Bruen's) opinion, the examples which the hon. and learned Member had given of the distance which a man had to travel to get his name upon the register were extreme and exceptional, and that in the great majority of instances the Revision Courts were held in convenient places. While offering no opposition to the second reading, he should deem it his duty to put down Amendments with a view to making it a Bill which would carry out the principles he thought ought to guide legislation in this matter.

MR. MITCHELL HENRY said, he was very glad that the hon. Member for Carlow (Mr. Bruen) was not going to oppose the Bill; and he trusted that the Government also might assent to the second reading, and propose such Amendments as they might consider to be necessary in Committee. The speech of the hon. Member for Carlow appeared to him to be really one which he had prepared years ago to deliver against a similar measure. He considered that his hon. and learned Friend (Mr. Meldon), who had on so many occasions brought forward this Bill, had been fighting not only for a measure of justice to both sides of the House, but for a measure of justice to his country. It seemed to him (Mr. Mitchell Henry) an imputation upon them that they pretended to give the franchise to people with one hand and absolutely denied it to them with the other. Whether the franchise was or was not to be extended was a matter which the future would decide; but they certainly ought, in the first instance, to allow those who were entitled to the franchise to exercise it. With respect to the supplementary list, in the case of Dublin, out of 26,000 or 27,000 persons who were rated and fulfilled the conditions imposed upon them to be allowed to vote, after allowing for double qualifications, there ought to be about 15,000 persons on the list; but, in point of fact, there were only 4,300 persons upon the register. He asked whether it was either just or creditable that such a state of things should be allowed to exist. Again, on the supplementary list there were only 3,825 persons, and that proved that those who had to make up the list looked carefully to see whether the persons had fulfilled all the qualifications necessary to give a right to the franchise. He could not understand the objection of the hon. Member for Carlow to increasing the number of places for registration. It was a monstrously hard thing that poor people engaged in hard labour from morning to night should be compelled to go, in some instances, 20 miles, and very rarely less than six, to register their votes.

MR. BRUEN: Perhaps the hon. Gentleman will allow me to say that I objected to the proposal in the Bill for increasing the number of Registration Courts, because the power already exists in the hands of the Lord Lieutenant to increase them on proper representations being made.

MR. MITCHELL HENRY said, that they knew the Lord Lieutenant had that power; but they also knew that the number of Registration Courts was wholly inadequate to the wants of the people, and the reason was not because the Lord Lieutenant was not willing that there should be a sufficient number of Registration Courts, but it was expressed in the very phrase which the hon. Member had twice used—on proper representations being made. Who, in the case of a people like the Irish, who were not accustomed to exercise public rights, was to get them to make proper representations? And such representations ought not to be required. By the provisions of his hon. and learned Friend's Bill the law would make the representations for them. It would merely reverse the present practice, and the probability was that the change would result in something better than the present system. When this Bill was first brought in some years ago, it was brought in with the simple intention of improving the system of registration, and some provisions were introduced which were not taken from the English Act. However, hon. Members objected, and had, over and over again, said—"We will be very glad to assimilate your law with that of England, and give you the same privileges as ourselves; but we will not go further." The Irish Members had believed in the reality of that phrase, and thus it was that this Bill had been brought forward, which would simply place Ireland exactly in the same position as England. The supporters of the Bill did not mean to contend that the registration in both countries might not be greatly improved; but they said, if you wish, let the improvement be made in some subsequent Session, first for England and then for Ireland. What they now contended was that the system of registration was defective in both countries; but for the present Ireland should simply have such an improvement as would be accorded to her by the application of the system now in operation in England. He was glad, therefore, that the Bill was going to be read a second time; and he trusted that the Government would give facilities for the Committee on the Bill, and that it would be one of the measures on which they might pride themselves, and on which they could seek the suffrages and the smiles of the Irish electors when a Dissolution came this autumn or next.

MR. PLUNKET said, he did not agree with the last speaker as to the observations of the hon. Member for Carlow (Mr. Bruen), which he thought most pertinent. It was a subject on which the hon. Member for Carlow had taken a great interest, and he thought his observations appropriate to the provisions of the Bill before the House. He did not, any more than his hon. Friend the Member for Carlow, rise for the purpose of opposing the second reading of this measure, though he could not say personally that he thought the result of the Bill would be to improve the present system of registration, or represent more fairly at Election times the persons who were entitled to vote in the counties and boroughs of Ireland. He trusted that his right hon. and learned Colleague the Attorney General for Ireland (Mr. Gibson) would take care that nothing should be done to prevent this measure being very carefully considered in Committee, when hon. Members on either side put down Amendments. He must say that the Bill had been introduced by his hon. and learned Friend the Member for Kildare (Mr. Meldon) with fairness and moderation; and should his hon. and learned Friend succeed in carrying this Bill into law, he must congratulate himself on the persistent and very able efforts which he had made for so many years to attain that object. It was, however, subject for regret that, while discussing a Bill of such importance, they had not the advantage of the presence of the hon. and learned Member for Limerick (Mr. Butt), whose familiar voice they had in former years heard on this subject; and he need hardly say that on both sides of the House that regret was increased by a knowledge of the fact that illness deprived Members of the benefit of his eloquent advice. As he (Mr. Plunket) happened to be Chairman of the Committee that investigated this subject, and as the Report of that Committee was not in favour of the recommendations of the present Bill, he should like to say a few words in justification of that Report. It would be admitted that the investigation was full and careful, and that abundance of evidence was taken on both sides of the question. There was, no doubt, very great difference of opinion, not only amongst the Members of the Committee, but amongst the witnesses who were examined before it, and the evidence of some of the witnesses who were not in favour of the proposals of the hon. and learned Member for Kildare was entitled to peculiar respect. The matter was not put forward at that time, as he understood it, as a crying injustice or an intolerable hardship; but they were all agreed that it was desirable, on the one hand, to have on the register all who were entitled to be there, and, on the other hand, that those who were not entitled should not have facilities for getting on the register. That was the spirit in which the Committee entered on their labours and conducted their investigations. If he remembered rightly, two of the first witnesses called were the Revising Barrister who presided over the Registration Court of the County of Dublin, and the Revising Barrister for the City of Dublin, and both gentlemen said that the existing registration was not only very convenient but effective for its purpose. Mr. O'Hara, the Revising Barrister for the City of Dublin, who was a Roman Catholic, and in politics a Liberal, and very much respected by all parties, expressed the opinion that but for the vigorous Party action which now prevailed the register would become defective, and many persons would remain on it who had ceased to become qualified. He also said that persons who were really entitled had no difficulty in getting on, or keeping on, the register. The Revising Barrister for the County of Dublin gave evidence of much the same character, and it was on testimony like that that the Committee were led to their conclusion—that there was no such evidence of hardship as to induce the Committee to think there was any necessity for a change in the present system. It was quite true that the hon. and learned Gentleman who had charge of the Bill had abandoned his suggestion that the supplemental list should be accepted as *primâ facie* evidence of a claimant's qualification; but they must take care that they did not enact something like it by other means. It was admitted that that grievance, at the worst, was not a great one; and they must beware, in attempting to remedy it, not to incur the risk foreseen by the gentlemen whose evidence he had referred to. Mr. Gerrard, one of the witnesses, said he objected to such an alteration of the law as would compel the objector to state the ground of his objection, because that would be tantamount to making the supplemental list *primâ facie* evidence that the party possessed all the necessary qualifications. This witness, no doubt, had in his mind the fact that in the County of Dublin there was a shifting population of proprietors going backwards and forwards, so that it was necessary to watch very closely, or they would have a misleading register. The great body of evidence influenced the Committee in coming to the conclusion that there was no urgency at that time for such a change as that proposed by this Bill. He did not admit that the Bill of the hon. and learned Member for Kildare would really assimilate the law of Ireland to that of England. It made an approach to such an assimilation. But, before such an assimilation took place, the matter ought to be very carefully considered; and he was of opinion that, before going into Committee, it would be well to submit the measure to the consideration of those persons in Ireland well versed in the subject. They ought to be very careful, in considering the proposals, to weigh well the opinions of the witness whom he had last quoted, an experienced witness, whose testimony had great weight with the Committee. He repeated, that he did not think the Bill would really improve the register; but fully admitting that every person entitled to vote ought to have all facilities for getting on the register, and as this Bill was not so objectionable as the Bill of last year, and still less objectionable than preceding Bills on the same subject, he should not, for his part, oppose the second reading.

Mr. E. COLLINS said, that almost entire agreement between hon. Members on both sides of the House was very gratifying, as it was also to observe the moderation of tone, and, he might almost say, pleasantry, with which the debate had been conducted. The differences which appeared to exist were upon non-essential points, and related rather to matters of detail, which could be dealt with in Committee. The hon. and learned Gentleman the Member for the University of Dublin (Mr. Plunket) had stated quite truly that the hon. and learned Member for Kildare (Mr. Meldon) had given up the proposal which had been objected to on previous occasions, to make the supplementary list *primâ facie* evidence of the right of the man to be placed on the register, and that being so, the hon. and learned Gentleman had little to say against the Bill. But the hon. Member for Carlow (Mr. Bruen) seemed to be under a misconception as to the scope of the Bill, inasmuch as his arguments were directed against parts of the Bill which could not be described as essential. In reference to the subject of the supplemental list, the hon. Member stated, and stated quite properly, and in perfect agreement with the House and the hon. and learned Member for Kildare—that two points were necessarily admitted in reference to the persons whose names appeared on the supplemental list — namely, that they were rated to the poor, and that they had paid their rates. He also properly stated that the fact of subletting or variation in the occupancy might, and doubtless would, affect the right of a man to be placed on the register. So far, he was right; but the hon. Member for Carlow went further—and he (Mr. Collins) should like to correct his misapprehension, because he appeared to attach a good deal of importance to it—that the person preparing the register could not be aware of the circumstances of the right of a man to be placed on the register, and that, under the Bill, if an occupier mortgaged the premises from which he derived his vote, he forfeited his right to be on the register. That was not the state of the law. It was not at all necessary that the persons preparing the lists should inquire whether there were any changes on premises entitling occupiers to be placed on the lists; for the fact of a mortgage existing would not affect the right to be on the register of voters. The first seven clauses of the Bill were devoted to endeavouring to assimilate the law of Ireland to that of England; and the hon. and learned Gentleman the Member for the University of Dublin contended that the effect of those clauses would be to lead to abuses. Such an objection was obviously wrong, because if such abuses had been found to result from the almost similar state of the law in England, there could be no doubt attention would have been directed to the matter much sooner. Another fallacy in the observations of the hon. Member for Carlow was where he took exception to poor rate collectors being put into a more responsible and prominent position under the impression that it was intended by the Bill to some extent to supersede the Clerks of Unions and place the collectors of rates in their stead. Now, that was not at all contemplated by the Bill. The Bill merely proposed that the poor rate collectors should more effectually aid the Clerks of Unions and the authorities in preparing the lists, but not that they should supersede them or take their places. In conclusion, he wished to say that he believed his hon. Friends on the Opposition side of the House would be very willing to meet those who opposed the Bill on points of detail, and that they would be pleased and ready to meet every reasonable objection. He therefore trusted that, by the co-operation of both sides of the House, he would not say an abuse or an injustice would be removed, but that the law on the subject would be put on a more equitable and convenient basis than it stood at present. He had much pleasure in supporting the Bill.

Mr. KAVANAGH said, he was glad that the Bill had proceeded so far without opposition; and he hoped that, with such Amendments as were found requisite, it would pass into law. He was sure that there was no wish on that side of the House to prevent those who had a real *bonâ fide* claim from getting on the register. He was equally confident that the hon. and learned Gentleman the Member for Kildare (Mr. Meldon), or any of his supporters on the Opposition side of the House, had no wish to put any man on the register who had no right to appear there. And he would be very glad to remove any obstacle which could fairly and reasonably be shown to exist, as the law stood now, between the enjoyment of the franchise and those entitled to it. It was possible, however, that several hon. Members opposite, in their good nature and their earnest desire to see that all their fellow-countrymen enjoyed the boon of the franchise, might take too sanguine a view, and really unintentionally afford an opportunity for those to get on the register who had no legal right. As the Bill was now drawn, he feared that an opportunity might be given to people—persons, no doubt, of his own political persuasion, as well as of the opposite—to get placed on the register, without having a sufficient qualification. The hon. and learned Member for Kildare had considerably modified the Bill this year, and on that account claimed his (Mr. Kavanagh's) support. He desired to point out that the Amendment which he put upon the Paper last year, and which the hon. and learned Member for Kildare had now incorporated in his Bill, was only a sequence to the Amendment placed on the Paper last year by the hon. Member for Londonderry (Mr. Charles Lewis). There were several features of the Bill which he would feel disposed to oppose in Committee; but with regard to the Preamble, in which it was proposed to assimilate the law of Ireland to that of England in this matter, he did not feel himself in a position to offer an opinion. He had spent that morning unprofitably in wading through the English Act, and he must confess that he had not been able to find the striking assimilation which the hon. and learned Gentleman the Member for Kildare wished to establish. That, however, was not a matter on which he wished to lay any particular stress. He felt that Clause 5 opened the door to considerable abuse. He assumed that this clause applied both to the register and to the supplemental list, and that being so, it appeared to him that it would have this effect—that if a man were on the register or supplemental list who had no right there, and he (Mr. Kavanagh) chose to object to the retention of his name there, and he did not exactly hit upon the proper ground of objection, the man would still remain on the register. He felt that that clause in its present form would keep men on the register who had no right there, and if that were so it was a grave fault in the Bill. With respect to the other clauses of the Bill he had no objection to make. In view of the wonderful unanimity that prevailed among Irish Members in favour of the Bill, he should not oppose the second reading; but he thought that as many Amendments were likely to be put on the Paper it would be as well if the Committee on the Bill were not fixed for some time to come.

COLONEL COLTHURST wished to say that the Bill had been drawn with a view to assimilate the law in Ireland as nearly as possible to the law in England. A careful comparison of the clauses of the measure with the corresponding clauses of the English Act would prove that they were substantially identical. When they were considering the desirability of assimilating the law of the two countries, the burden of proof should be thrown upon those who objected to the assimilation. Such proof had not been given by any hon. Member who opposed the Bill, or gave it a reserved support. They had given their opinion very freely that no great injustice or hardship was suffered by persons in Ireland who were entitled to be upon the voters' list. Speaking from his own knowledge of the County Dublin, he said there were many who were perfectly entitled to be upon the list, but who were prevented from voting owing to the difficulties caused by the present system. Under this system, it was only necessary to lodge a general objection to a voter's right to be on the list, such as—"I object to so and so." The man thus objected to was obliged to go to great inconvenience, travelling often several miles, and it was only when he got into Court that he learned what the objection was. As far as the County Dublin was concerned, facilities for revision, so far as places fixed for the holding of the Courts was concerned, were not sufficient. The right hon. and gallant Member for the County of Dublin (Colonel Taylor) would admit this, and would also admit that many who were entitled to the franchise were deprived of it owing to the operation of the present law. The hon. and learned Member for the University of Dublin (Mr. Plunket) pointed to the great evil if, by any interference with existing political organizations, the purity of the register should be tampered with by people getting their names thereon without the right to it. Those who supported the Bill wished nothing of the kind. All they desired was that when persons made objections the burden of proof should be thrown upon them to show that their opposition was reasonable and valid; and, failing to do so, that they should be obliged to pay the costs. The Bill could be defended on much broader grounds. They were constantly told in the House, when they brought forward questions with regard to the self-government of Ireland, or of land, that no difference should be made between the two countries, and that Parliament and the Government were perfectly willing that everything in Ireland should be put upon the same footing as in England. Whatever the merits of the present system of registration in Ireland, it was totally different from the system in England. In England, if a man's name was on the list, which was at least analogous if not identical with what was known as the supplementary list in Ireland, it was held as *primâ facie* evidence of his right to vote, and this could only be upset by a reasonable and fair objection. In Ireland it was quite the contrary. Every facility was there given for pressing objections, however trivial, to persons desirous to exercise the franchise. In counties where there was any real opposition, any intention upon the part of one party or the other to contest the representation, every difficulty was thrown in the way of voters. He was sure it was not the wish of the House that this state of things should continue. Into the details of the Bill he did not feel himself competent to enter; but he felt sure the House must admit the principle that everybody should have the franchise in reality who was by law entitled to it. The hon. and learned Member for the University of Dublin and the hon. Member for Carlow assented to that principle; yet they foreshadowed certain Amendments in Committee which would take all the life out of the Bill and render it perfectly useless. If the House accepted the principle of the proposal now before it, he hoped care would be taken that the Bill should leave the Committee improved and not emasculated.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, there appeared to be a substantial agreement between hon. Members on both sides of the House in giving their adhesion to the proposal to deal with the Registration Laws of Ireland. No one could question, and no one on either side of the House had questioned, the fairness of giving every reasonable and possible facility to vote to those who were legally entitled to be upon the register, nor had anyone attempted to suggest that anything in the shape of unreasonable and frivolous objections should be encouraged. Neither had he heard it alleged that there should be any effort to prevent *bonâ fide* objections being put forward in a reasonable way; because, if that were desired, it would defeat the object in view, which was not only to have free but pure registers. A Bill of this kind must deal largely with details, because it was obvious that registration was made up of details. Each of these details was important, and might be regarded from different points of view. He could hardly think the matter was so entirely simple as was suggested by his hon. and gallant Friend who had just spoken (Colonel Colthurst), but who had not adverted very minutely to the weighty objections urged by the hon. Member for Carlow (Mr. Kavanagh). The distinction pointed out by every Member who had spoken from the Government side of the House between the old register and the supplementary register was of considerable importance, and it was only reasonable to expect that a distinction of the kind would again come up for consideration when the measure reached Committee. With respect to what his hon. and gallant Friend said as to the assimilation of the law of England and Ireland in this matter, it ought to be borne in mind that the supplementary list was peculiar to Ireland. There might be in England something regarded as an equivalent to it; but there was nothing corresponding to it in terms or exactly in substance. The difference between the two lists was obvious and substantial; the old contained the names of those electors who had at some time or other proved their claim; and with regard to them the Bill would remove grievances under which they laboured. These grievances were not very great; still they ought to be considered. At present, a man whose name appeared on the old list might have his claim assailed by a general objection. He thought it only reasonable that when such a name was objected to the specific objection should be pointed out. But before this principle was applied to the supplementary lists he, without venturing on a final opinion, thought it was only reasonable to consider that the two lists were entirely dissimilar. As the measure had been originally presented to the House, the claim was that the being upon the supplementary list was *primâ facie* proof of the possession of all the qualifications necessary to confer the franchise. This claim had been conceded to the objections urged to this, and the House was not now asked to affirm this principle; but it was reasonable to consider whether some of the remaining clauses consequent upon it did not indirectly claim for those on the one list the same status as was allowed those on the other and the older one. That was a matter which hon. Members on the Government side of the House thought required examination in Committee. The parties who prepared the supplementary list were most respectable men; but these only knew of two out of the five qualifications. Clerks of the Poor Law Union knew that the parties were rated, and that they had paid their rates; but the Union Clerk was entirely ignorant as to their length of occupation and the character of the occupancy, or whether the premises were sub-let. That it was alleged by hon. Members on the Government side of the House would also require consideration; and they further said that it was reasonable they should be called upon by a general objection to disclose and prove their claims. He did not say that some distinction might not be made in favour of the two qualifications of which the clerk had cognizance, as against the remaining three of which he was ignorant. That, however, was a matter which might fairly be examined in Committee, but scarcely upon the second reading. He thought too much had been made of the case of the County of Dublin. The position of that county was peculiar. There the numerous seaside towns and villages were resorted to during the summer months for the purposes of health, and the names of persons occupying these houses would be upon the supplementary list; but they forfeited their right to vote in most instances by sub-letting for the rest of the year. Such sub-letting was a matter outside the cognizance of the Poor Law Clerks. He did not wish to go into that, however; but the hon. and gallant Member for Cork County referred to it.

Colonel COLTHURST said, he did not in any way allude to this class of persons, but to tenant-farmers.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, that that simply proved that such tenant-farmers very often neglected to attend the Revision Court, and did not care a farthing about the franchise. A farmer had nothing to do but attend the Court or send a member of his family, and every facility would be given him for getting upon the list. The real difficulty to be considered in dealing with this question was that in many counties in Ireland considerable apathy prevailed on the subject of the franchise. Many persons would not take the trouble to cross the road from their own doors to go to a Revision Court. In every contested election it was seen that there were thousands who would not take the trouble to go to the poll. There was one other subject to which he wished to refer. It had been alleged that there should be increased machinery for the Revision Courts. He hardly thought the existing legislation on that subject was sufficiently present to the minds of hon. Members who made the suggestion, or that they adequately considered the powers given by the Act to the Executive Government to deal with such a grievance. The old law provided a Revision Court wherever there was a polling place. By the Act of 1872 a great extension of polling districts took place. The number in Kerry, for instance, was increased from 5 to 29, and in Westmeath from 3 to 17. It was obviously impossible for the County Court Judge, to whom was intrusted the work of revision, to attend at each polling station, with the whole paraphernalia of county officials; and in 1873 the law at present governing the practice was passed, under which the Lord Lieutenant might increase the number of Revision Courts. He was not aware of any case in which the Irish Executive had refused to redress a proved grievance on this head. The hon. and gallant Member for Cork County had omitted to state that within very recent years the number of Revision Courts in County Dublin had been increased from three to five. If a substantial case were made out for a further augmentation of this machinery it would be attended to. There appeared to be a considerable amount of unanimity on the question now before the House, and when Irishmen were agreed their unanimity was wonderful. He hoped that some little time would elapse before the Committee was taken, so that hon. Members might have an opportunity of considering what Amendments they would place on the Paper.

MAJOR NOLAN hoped, considering the wonderful unanimity alluded to, the Government would give them facilities for getting the Bill into Committee. He was sorry to say that the general tone of the remarks of the Attorney General for Ireland seemed to favour the view that he would not care to give many facilities to persons entitled to vote to obtain their rights. ["No, no!"] The view of the right hon. and learned Gentleman obviously was that the voter should go to considerable trouble to have his right admitted, and not that the State should see that the voters should be registered. It was the State that, receiving taxes, should see that its subjects duly appeared on the list. The Bill could not be passed this Session unless the Government gave facilities for its passage through Committee. The half-past 12 Rule would prevent its coming on, and it would be sent there before the end of the Session, and its purpose with reference to the General Election would be defeated. If it did not come on before the end of the Session it would be the fault of the Government.

MR. J. LOWTHER had not intended to trouble the House with any remarks about the Bill, after the clear statement of his right hon. and learned Friend the Attorney General for Ireland; but as the hon. and gallant Member for the County of Galway (Major Nolan) had talked about the Bill being smothered unless the Government afforded facilities for dealing with it in Committee, he would ask, did the hon. and gallant Member wish the Government to postpone the measures they had in hand, as to which, in many cases, they had given pledges, in order to make way for the Bill now before the House? However, the hon. and gallant Gentleman, and those with whom he acted, might increase the chances of time being available for the Bill if they would afford facilities to the Government for disposing of Government Business. When the hon. and gallant Gentleman had done that, he would be able to repeat his request with far more reasonableness than on the present occasion. The salutary Rule, commonly known as the half-past 12 o'clock Rule—than which none better existed amongst the Standing Orders which regulated the proceedings of the House—had been alluded to; and he felt bound to say that if the Bill was to be discussed at all, that discussion ought to be taken at a reasonably early hour. He hoped the hon. and learned Gentleman who had charge of the Bill would allow sufficient time to elapse before putting it down for Committee, to enable the Government to consider the Amendments they might deem necessary to make the Bill useful and equitable. He trusted the House would now assent to the second reading.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* next.

ULSTER TENANT RIGHT BILL.

(*Mr. Macartney, Mr. Charles Lewis, Mr. William Wilson.*)

[BILL 37.] SECOND RREADING.

Order for Second Reading read.

MR. MACARTNEY, in moving that the Bill be now read a second time, said, the Bill had already been before the House on two occasions; and Bills similar in principle, but going farther than this one, had been before the House since 1874. One of those Bills was brought in by the hon. Member for Downpatrick (Mr. Mulholland), and on another occasion the late hon. Member for County Down (Mr. Sharman Crawford), introduced a measure which contained clauses similar to the clauses of the present Bill. The Bill introduced by the noble Lord the Member for County Down (Lord Arthur Hill-Trevor) was passed last year; but in "another place" it met the untimely fate which the hon. and gallant Member for Galway seemed to fear would befall the Bill which he (Mr. Macartney) now asked the House to read a second time. The custom called Ulster tenant-right had been so often handled in the House, and its rise and progress traced by other speakers, that he would not waste time by dwelling upon it. The 1st clause of the Bill sought to establish for the usage of Ulster the same principle which had been established for the benefit of the tenants in England—namely, that they were supposed to have made the improvements unless the landlord could prove the contrary, the presumption being in favour of the weaker party. Owing to the wording of the Landlord and Tenant Act (1870), which spoke of the "usages of Ulster," instead of the "Ulster tenant-right custom," it was held by the Judges that it could only be applied to a holding on a particular estate after it had been proved that the custom existed on that particular estate, and that it was not sufficient to prove that the custom existed in the district, barony, or province. The result was this extraordinary anomaly—that a man might have three or four estates in one county, all managed in the same way and by the same agent, and that it would be necessary to prove the existence of tenant-right on each estate before the tenant on that particular estate could sell his tenant-right to another person. That was considered a great hardship. Formerly the great majority of landlords in this matter held themselves bound by public opinion; but a few took another course, and, refusing to allow tenant-right, caused an agitation to spring up which led to the passing of the Irish Land Act. If the 1st clause of this Bill were passed, the custom would be taken to exist in all estates in the North of Ireland situated in districts where tenant-right prevailed. He believed it could do no injury to any landlord in Ulster, and it would be a source of satisfaction to tenants to have a certainty in their own case. The Bill would prevent much litigation and bad feeling between landlord and tenant. The 2nd clause related to a particular rule existing upon some estates called an "estate office rule." Some rules, which were very general, allowed a tenant to sell his interest, the incoming tenant to be approved by the landlord; and the price was such a fair one as the outgoing tenant, according to the rate of purchase money usually prevailing in the district, could get. It had been said that he wished to do away with estate rules. He wanted to do no such thing. The only rule that the 2nd clause would apply to was one which existed on a few estates of fixing an arbitrary price per acre, or a certain number of years' purchase to be paid by the incoming tenant to the outgoing tenant for his tenant-right. Such a rule had not been in existence more than 40 or 50 years in any part of Ulster, and formed no part of the time-honoured custom of Ulster. It had caused very great heart-burnings and very great injustice. He therefore proposed by the 2nd clause that on any estate where a rule had been introduced fixing an arbitrary price per acre, or a certain number of years' purchase of a holding, the existence of such a rule should not prevent the outgoing tenant from receiving the full amount which his tenant-right was worth. The 3rd clause met another anomaly. Before the passing of the Act of 1870, it was the custom on most properties in the North of Ireland when a lease dropped that the tenant should continue on his farm subject to a re-adjustment of rent, or that if he gave it up he was entitled to get the full value of his tenant-right from his successor in the holding. The Chairmen of some of the counties had held that under the Land Act tenant-right continued after the expiration of the lease; whereas others held that the terms of the lease should be strictly adhered to, and that, where there was a covenant to surrender on the fall of the lease, there was no longer any right to sell. In all such cases the present Bill would presume the existence of the tenant right at the close of a lease, just as was the case with ordinary tenants holding from year to year. In conclusion, he said his object was to submit an equitable measure. He himself was a proprietor and the possessor of land; it was the only means of living of most of his relatives and friends; so that for every reason he would be slow to do injustice to his own class. At the same time, however, he was equally anxious that no injustice that the House could remedy should be done the tenants.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Macartney.*)

SIR JOHN LESLIE, in moving that the Bill be read a second time that day six months, said, it was no doubt a small measure; but in cases of robbery it was the small man who was first introduced, and, just as a man of larger dimensions followed, so would they find large measures following this one. He regarded the Bill as designed materially to destroy the rights of property in Ulster. He opposed it upon these grounds—First, because, from his personal knowledge of Ulster, having resided there lately for six months, he did not believe that there existed amongst the tenants, all of whom had paid for their tenant-right, the feelings described by the hon. Member for Tyrone (Mr. Macartney), or any desire for a measure of this kind; secondly, he opposed it because it was directly aimed at the usages of Ulster, which were favourably considered and respected by the legislators who brought to a conclusion the Land Act of 1870. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) then said it was not intended to disturb the happy relations existing between the landlord and the occupiers which had induced the landlord to view favourably the growth of such usages. It was desired to find a remedy for insecurity of tenure without shaking the stability of property. Now, he (Sir John Leslie) contended that in the 2nd clause of this Bill the stability of property was directly attacked. Though it professed to be in the interest of the tenants, it was not in the interest of the tenants that the Bill was brought forward. The 3rd clause was provided for by another Bill in "another place," and was therefore unnecessary. It was the 2nd clause which contained the essence of the Bill. It claimed for the tenant the right to sell, not only what was his own, but also that which was the property of another. To prove that, he must examine what it was that the tenant purchased. According to the rules of the estate the tenant purchased the security of his occupation, the privilege of holding his farm at a rent below the market value, and a security that he should not be disturbed except for non-payment of rent. He (Sir John Leslie) contended that the amount between the actual rent and the rent the landlord had consented for 50 or 100 years to take was 5*s.* or 7*s.* an acre less. His tenants had profited thereby; but that 5*s.* or 7*s.* remained as the landlord's own property and part of his capital. Now, this clause would make it legal for a tenant to sell that which was another's; and, therefore, it was a clause which proposed to legalize theft. It proposed to reverse the eighth Commandment, and, therefore, should not meet with any respect in that House. Besides, the Bill would not operate as it professed to do in the interest of the tenant, because the effect of it would be this—that if the tenant sold the farm to the highest bidder the landlord would raise the rent. The landlord could not be expected to keep the rent at the same pitch. It would naturally rise to the marketable value. Therefore, it would not only disturb the existing arrangements, wherewith the tenants were perfectly satisfied and contented, but it would positively prove a punishment to them. He expected the Bill, if it became law, would provide that most useful branch of the Legal Profession, the solicitors, with constant employment; and he believed the origin and purpose of the Bill related to attorneys rather than to the tenants themselves.

MR. MACARTNEY: I beg leave to say in explanation that I am not an attorney.

SIR JOHN LESLIE said, he did not for one moment suggest that; but probably the hon. Member would not be so prompt to deny that there were names of members of that distinguished Profession on the back of the Bill, and no others. Believing the measure was not calculated to benefit the tenant, and was contrary to equity and justice, he moved that the second reading be postponed for six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir John Leslie.*)

Question proposed, "That the word 'now' stand part of the Question."

MAJOR NOLAN said, he was sorry that the hon. Baronet who had just spoken should have referred to this Bill in connection with the Land Bill of 1870, and said that it would afford employment for the solicitors. Although in framing this Bill they would have the very valuable assistance of one hon. Member who was a solicitor on the Bright clauses, which were considered by a Select Committee last year, he did not wish to have the whole of the Members for Ireland solicitors, any more than he wished to have them all members of any other Profession. He was very glad that this Bill had been brought forward, although it did not affect the South of Ireland.

Still there were a great many tenants in the South of Ireland who considered that an extension of the Ulster tenant-right would be very valuable in the South and West of Ireland. He said that the Western Members were most anxious to support the Ulster Members; and he only wished he could get the Ulster Members to return the compliment when the Southern Members brought in their Land Bill. As a general rule, the Southern and Western Members of Ireland were willing to vote for what was desired by the Northern farmers; but the Members returned by the Northern farmers of Ireland did not in a similar manner support the proposition brought forward by the Representatives of the Southern and Western farmers. Some time since, at a meeting of the farmers in the South and West, it was proposed not to support the Northern farmers till they supported the farmers in the South and West in their Land Bills. Such a policy as that, however, he should be sorry to support. Owing to the custom called "Ulster tenant-right" having been only established in the Province of Ulster, he admitted there might be some difficulty in extending this Bill to the South and West; but he thought that difficulty might be very easily got over. He had heard it rumoured through the House that this Bill was to be talked out by its opponents; but when they bore in mind that they had two hours and a-half to discuss the Bill, and that the subject was so well known, he hoped that hon. Members would curtail their remarks and allow a Division to be taken.

Mr. GREGORY remarked that the most objectionable part of the Bill was its 2nd clause, by which the rule of the estate was entirely set aside in favour of the tenant. The Bill might be considerably improved in Committee; but he was convinced that the 2nd clause would operate unfairly. He thought the constant efforts of the Irish Members to alter the relations of landlords and tenants were injurious to Ireland. He knew from his own experience that these constant attempts to tamper with the rights of landlords and tenants gave rise to a feeling of insecurity with regard to Irish property which seriously depreciated it in the eyes of English capitalists.

Mr. W. WILSON denied that the Bill would give the tenant an unfair advantage, and hoped that the Government would see their way to support it. It only did justice to the Northern farmers. With regard to the onus of proof of the custom of the estate, it would be better for it to rest with the landlord than with the tenant, as the former had more facilities for proving it than the latter.

Mr. SHAW said, he was glad that there seemed to be no intention of talking out this Bill, and that hon. Gentlemen opposite would allow the Bill to go to a second reading. This was a remarkable Wednesday as to Irish legislation. Already one Bill had been disposed of, and the House was composed entirely of Irish Members, and it would be a very pleasant thing if two Irish Bills could be passed with the approval of both sides. The hon. Member for East Sussex (Mr. Gregory) had said that constant tampering with the law had injured the landed interest of Ireland in the English market. He differed with him altogether about the borrowing and lending of money in Ireland, and would say to the hon. Member that they had no difficulty in borrowing, notwithstanding prejudice, and the prejudice was most contemptible, because the security offered in Ireland was as good as any security offered in England. They wanted to transfer from the North of Ireland to the South this tenant-right which had grown up as a custom. It would increase the value of land. In the North, land was worth nearly 25 years' purchase, and in the South 20 years, and the reason of the difference was the feeling that the tenant in the South was prevented from spending his capital on the land owing to the insecurity of the tenure. They did not in the least degree wish to interfere with the stability of property. That seemed to have alarmed very much the hon. Baronet who had moved the rejection of the Bill. He had talked about the insecurity of the landlord's property; but what did he think of the insecurity of property on the part of the tenant? He believed that, instead of injuring the stability of property in the North of Ireland, the Bill would really increase the value. But that had always been the bugbear thrown in their teeth. By passing this measure in favour of the South, the land would be put in the same position as in the North, and its value would be increased by five years' purchase.

MR. PLUNKET said, that although the hon. Member for the County of Cork (Mr. Shaw) had skilfully used the voice of a charmer, and though they were, as he had said that day, almost an Irish Parliament, where it might be supposed there was nothing to obstruct complete unity, yet he was obliged to differ from the hon. Member. He was sorry for it; and it was in no spirit of acrimony or strong Party feeling that he was obliged to say a very few words against the second reading of the Bill. He did not think the hon. Baronet the Member for Monaghan (Sir John Leslie) intended to cast any imputation on the Legal Profession; but as he understood the observations, it was that litigation would grow out of this Bill. He believed himself that litigation would be very much increased if this Bill became law, and that was one of the reasons why he should vote against the second reading. He took this view of the matter with reluctance, because, certainly, the hon. Gentlemen who had introduced the Bill were those with whom he generally had pleasure in co-operating. This was in principle a matter of fundamental importance, although in practice there might not be very much difference between the law as it was and the law as it would be if this Bill were passed. The tenant-right question, to be understood, depended very much upon the part of the country in which it was. It varied in different places. In Ulster, undoubtedly, some such a system prevailed very generally; but those who were in the habit of seeing an extensive form of that custom put in operation every day in their own locality were quite surprised that those who lived in another part of the same province should take a different view, and resist the introduction of a measure which would, in the latter case, entirely alter the relations of landlord and tenant. He should like to point out that this was the difficulty which lay at the bottom of all discussion on the Ulster tenant-right custom. It was a varying custom, and when it was attempted in 1870 to deal with it as one custom, and not as many customs, it was found impossible to do so. It was found that there were local and distinct usages, and, therefore, that they could not be dealt with as one. After debate on the measure then under consideration, the language adopted was not "the tenant-right custom," but "the usages that prevail in the Province of Ulster, and are known as the Ulster tenant-right custom." The usages varied, and there were some parts where there was no tenant-right at all. The question was no doubt a great deal embarrassed by what were called "estate rules." In some parts of the Province of Ulster the estate rules were as old as the custom itself, and it was impossible to distinguish these estate rules from the limitations of the custom. It was illusory language to speak of "custom in Ulster." It was on account of this difference from his hon. Friends — a difference of principle — because, in fact, they were attempting to stereotype this custom as one custom prevailing everywhere, and in that respect departing from the policy of the Land Act of 1870, mainly that he resisted the Bill; and, as he had already said, he resisted it with great reluctance, because he knew it had become an object desired by many of the loyal and industrious tenantry. He should be glad if a measure was introduced to give a tenant-right at the end of a lease, and he should always give such a proposition his hearty support; but he could not give his assent to the 1st clause of the Bill, which stereotyped one uniform tenant-right for Ulster, and on account of that, and some other provisions, he could not support the Bill. He was glad to think that the agitation which had disturbed the Province of Ulster some time ago was now subsiding. This he attributed to the fact that the Land Act of 1870 had been administered and interpreted by the Judges in no narrow or stingy sense. He believed that the law as it stood was, in the main, sufficient to give a fair and full protection to the tenants; and he also believed that the more experience there was of the operation of the present law the greater satisfaction would be felt. He was not, therefore, prepared now to support legislation which might disturb the settlement of 1870.

MR. SYNAN said, he thought that the measure might be easily made workable if certain Amendments were agreed to in Committee. He quite accepted the statement that the efforts to define the Ulster custom in 1870 failed, and he did not see how it could be defined by this Bill. He, however, was in favour of the Bill, because he believed the great grievance was that in the six counties in the Province of Ulster the custom had been cut down from what was intended by the Act of 1870 by arbitrary estate rules. Now, he did not think that it was desirable to declare that there was only one tenant-right for the whole of Ulster, because that was contrary to the fact. But what he thought was desirable was to recognize the tenant-right of each district, and protect that against being cut down by the estate rules. The 1st clause of the Bill could, he believed, be made workable by adding the words "prevailing in any particular district for the trial of land cases;" and, if that were done, it would be done on the lines of the Act of 1870. With regard to the next clause, he perfectly agreed that a particular estate rule should not cut down the custom as to the amount of compensation to be paid to the outgoing tenant, or the amount of the purchase money, for that was a matter to be regulated by the circumstances of each case and the state of the land market. The 3rd clause, which gave tenant-right at the expiration of a lease, was generally admitted to be a good one, and he hoped it would be adopted. It was now so decided in some cases by some of the Land Courts, and the law ought to be declared and fixed by Act of Parliament. The acceptance of the Bill depended upon the Government, and he could assure them that the tenants of the North of Ireland would narrowly watch their conduct.

Mr. J. LOWTHER said, the hon. Member for Cork (Mr. Shaw) had reminded the House that they had spent a very agreeable afternoon in discussing Irish questions without the intervention of any other than Irish Members in the debate; but he feared that the hon. Member must have been disappointed at the interruption of the hon. Gentleman the Member for East Sussex (Mr. Gregory), who so clearly pointed out the reasons which induced him to oppose this Bill. The hon. Member for East Sussex had really given the House the very information they desired with reference to this Bill. He hoped that his own appearance on the scene would not diminish the amicable character of the debate, although, unfortunately, he must ask the House to reject the Bill. Nothing could give him greater pleasure than to support any measure introduced by his hon. Friend the Member for Tyrone (Mr. Macartney), and supported by other Members on the same side of the House; still he thought that in this case measures, not men, should be the guiding principle which should govern their conduct, and that he should not be justified in supporting a Bill because it was introduced by Members on his own side which he should have opposed had it proceeded from his political opponents. The Bill seemed in reality to consist of several Bills, because each clause embodied distinct principles, which might very fairly have been included in a separate measure. It had been pointed out that no definition clause was attached to the Bill. If there had been such a clause, it might very fairly have contained a definition of the term "district," which occurred in the very first clause. This term was vague and presented considerable difficulty. He did not think the hon. Member could succeed in defining it; but even if he did, he would have still the more formidable difficulty to encounter of defining the Ulster tenant-right custom. Now, when the Land Act of 1870 was before the House, he recollected that there was a great deal of discussion on this point amongst the able lawyers then in the House, many of whom had since gone to the Bench; and he recollected that it was thought imprudent, if not impossible, to attempt to define tenant-right, but that this must be left to the reasonable interpretation of those who had to administer the law in reference to the cases brought before them. In departing from the Land Act in this respect, his hon. Friend would land the House in difficulties, from which it would take some time to escape. Again, not content with ignoring the just rights of the landlords, the hon. Member dealt with an entirely different subject, and he dealt with it in a way which enabled the tenant to purchase his tenant-right in a cheap market, and then by means of this Bill to sell it in a market which would have become a dear one, and thus dispose of it in a way which was contrary to all practice. He (Mr. J. Lowther) objected to the onus of disproving the custom being thrown on the landlords. He could not agree to the provision that the rule of an estate should not be allowed to cut down the custom, if by that it was meant that a man who had under an estate rule purchased land at a certain number of years' purchase should, under the custom, be allowed to sell at a greater number of years' purchase. He did not see how anyone could defend Clause 2. It was a pity that so many subjects—or rather Bills—should be embodied in one measure. As to Clause 3, the Government, as such, would not have opposed it if it had stood by itself, although he (Mr. Lowther), in his individual capacity as a Member of the House of Commons, disapproved of it; and therefore, if it stood alone, he should not oppose it officially. There was one consideration which the House should keep before them in dealing with this Bill. When the Land Act of 1870 was passed, it was always urged that the object was to set the Land Question in Ireland at rest, and put a stop to agitation, if not for all time, at least for a generation; therefore, these constant attempts to reopen this question deserved the very anxious attention of the House. He had always been an opponent of the Land Act, and, therefore, he would not speak of it as one he felt bound to defend; but, at the same time, he should much regret any attempts to disturb the settlement which had been made. Vested interests had sprung up under the provisions of that Act which they were bound to regard. He did not withdraw one syllable of what he had said against the Land Act; but, at the same time, he should regret, as a Conservative, any attempt being made to disturb that settlement. An hon. Member who had addressed the House in the course of the debate said that he objected to any restrictions being placed on the amount of capital which the tenant invested in the land. But the Ulster custom was the means of diminishing the capital employed by the tenant in the cultivation of the land. He believed that if there was one thing more than another to which exception might be taken in the interest of the consumers of food in Ireland it was the Ulster tenant-right custom. But however that might be, and however disinclined he might feel to assist in inaugurating such a system if it were now proposed for the first time, still, as the custom had existed so long, and as vested rights had grown up under it, he should be the last person to oppose the preservation of those vested rights and interests. What he said on this point was merely to show that he thought the promoters of the Bill took a dangerous ground when they affected the political - economy argument, because they failed to prove that the extension of the tenant-right custom would conduce in any way to the effective cultivation of the soil. Neither did he think the Bill would be of any advantage in the interests of order and good government. He had said these few words, because he thought it right that there should be no mistaking the grounds on which Her Majesty's Government opposed the Bill. It was, as he said a short time ago, by no means agreeable to him to have to oppose a Bill which was introduced by an hon. Friend on that side of House. He might also say that he would be the last person unnecessarily to resist anything which would conduce to the advantage of those in whose interest this Bill was ostensibly framed, and for whose benefit it was erroneously, as he thought, supposed to be. He referred to the occupiers in the North of Ireland. They were a class of persons to whom, associated as he was with them by political, religious, and other ties, he should be glad to make any concession if he felt it his duty to do so; but, under the circumstances, he thought this was a Bill which the House would do well to reject, and he certainly should support his hon. Friend the Member for Monaghan (Sir John Leslie) in his Amendment for the rejection of the measure.

Mr. MACARTNEY, in reply, said, he considered that the arguments which had been used, to the effect that the Bill, if passed, would prevent landlords from borrowing money on their property, were fallacious. In his opinion, the Government could not feel the sympathy which they professed to feel for the tenants of Ulster if they opposed the measure. If any opponent of the Bill would show him any part of Ulster in which tenant-right did not exist, where the tenants were better off, the land better cultivated, and the rents more valuable, than in those parts where it prevailed, he would withdraw his measure at once, and never introduce it again. It was not unusual to make such speeches in the House as they heard that night; but it was very desirable that, before making them, hon. Gentlemen should go through the various counties of Ireland and inform themselves of the value of the tenants' holdings and of the landlords' estates. If they did so, they would find that in no part of Ireland were landlords' interests more valuable than they were in the North. The four counties in which tenant-right existed to an extreme degree were Down, Antrim, Armagh, and Derry, and in those counties the largest amount of comfort and prosperity prevailed, which was, to his mind, an unanswerable argument.

Question put.

The House *divided*:—Ayes 131; Noes 146: Majority 15.—(Div. List, No. 72.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

BILLS OF SALE (IRELAND) BILL.

(*Mr. Meldon, Mr. O'Shaughnessy.*)

[BILL 45.] SECOND READING.

Order for Second Reading read.

MR. MELDON, in moving that the Bill be read a second time, reminded the House that a Bill was passed last year on the subject of the Registration of Bills of Sale in England. It had been a subject of very great inquiry amongst the commercial community and persons specially interested in the question, and the result was an alteration of the law in England. There could be no question that in legal matters the practice ought to be identical in the two countries, unless there was a presumption to the contrary; and, therefore, this Bill was introduced to extend to Ireland the provisions of that important and exceedingly useful Act of last year. Formerly in England, as at present in Ireland, if a bill of sale was properly registered, and if a person became bankrupt before it was put in force, the bill fell to the ground, and the result was that it became really valueless as a security. That had now been remedied in England, and there was no reason why the remedy should not be extended to Ireland. He hoped the Bill would be allowed to pass without opposition, because the present difference between the two countries was highly inconvenient. As the time was short, he would not go further into the merits of the question, but would at once move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Meldon.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the hon. and learned Member had fairly stated the purpose of the Bill. He (the Attorney General for Ireland) did not intend to oppose the second reading. He would only ask that a fair time for ascertaining the opinions of the people of Ireland should be given before the Bill was taken in Committee.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 13th May.

MUNICIPAL FRANCHISE (IRELAND) BILL.—[BILL 74.]

(*Major O'Gorman, Sir Joseph M'Kenna, Mr. Richard Power, Mr. Blennerhassett.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Major O'Gorman.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) pointed out that the Bill had not been issued, and he objected to the second reading until they were in possession of the objects of the measure. He suggested that the second reading should be adjourned If, however, the hon. and gallant Member persisted in his Motion, he should move the adjournment of the debate.

SIR JOSEPH M'KENNA said, the Bill had come on him by surprise, and he therefore thought he should be consulted.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

MOTIONS.

ANIMAL VACCINATION BILL.

On Motion of Dr. Cameron, Bill to encourage Vaccination by providing facilities for the optional use of Animal Vaccine, *ordered* to be brought in by Dr. Cameron, Earl Percy, Mr. Lyon Playfair, and Dr. Lush.

Bill *presented*, and read the first time. [Bill 131.]

STATUTE LAW REVISION (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill for promoting the Revision of the Statute Law of Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Mr. James Lowther.

Bill *presented*, and read the first time. [Bill 132.]

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (WATERFORD, &c.) BILL.

On Motion of Mr. James Lowther, Bill to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Borough of Waterford and to the Town of Bangor, *ordered* to be brought in by Mr. James Lowther and Mr. Attorney General for Ireland.

Bill *presented*, and read the first time. [Bill 133.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 24th April, 1879.

MINUTES.]—Public Bills—*Second Reading*—Poor Law Amendment Act (1876) Amendment (34); Great Seal* (38); Local Courts of Bankruptcy (Ireland)* (40); Assessed Rates Act Amendment (55).

Committee — Report — Friendly Societies Act (1875) Amendment* (25).

Select Committee—Report—County Courts [No. 61].

Report—County Courts* (60).

Third Reading—Registration of Births, Deaths, and Marriages (Army)* (27), and *passed.*

Withdrawn—Courts of Justice Building (44).

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL.—(No. 34.)

(*The Lord Norton.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Lord NORTON, in moving that the Bill be now read a second time, said, that this Bill had been sent up last Session from the other House of Parliament, and had received Amendments in their Lordships' House; but those Amendments not being acceptable to the other House, the Bill dropped. Since then, very numerous meetings had been held and many Petitions presented to Parliament in favour of the measure; and the Bill having been again introduced, it had passed again with unanimity through the House of Commons. The character of the measure had, he believed, been misunderstood. The Bill did not propose to alter but to restore the Poor Law of 1834, by ridding it of an interpolation introduced by a section of the Act of 1876—the very same Member who introduced that section being the author of this Bill to get rid of it. The Bill proposed to amend the 23rd section of the Poor Law Amendment Act (1876) so as to allow moneys to which any pauper having a wife or other relatives dependent upon him might be entitled to as a member of any friendly or benefit society to be paid to, or applied to, the maintenance of such family. The 23rd section of the Act consisted of four paragraphs; the first, enabling trustees to pay over to guardians annuities due to paupers, had no application to friendly society payments; the second, enabling guardians to recover from a pauper lunatic member of a friendly society their expense in relieving him from benefit payments due to him, had no application to any paupers except lunatics; the third enabled magistrates to enforce the previous provisions by their order; and the fourth restricted those provisions to relief given on loan. The Bill proposed to prevent the section from applying to money due from a friendly society to paupers or pauper lunatics having a wife or other relatives dependent on them. But the section did not apply to friendly society payments to any paupers except lunatics, and their Lordships agreed last Session to accept its application to pauper lunatics. So far, therefore, as the Bill applied to that section they were all agreed. But the Bill went on to say that moneys due to paupers with wives or dependent families should be applied by the friendly or benefit societies to the maintenance of the wives and families, and so met the special complaint of the petitioning societies, which was principally against the interference of Poor Law authorities with friendly societies of 1876, which gave a litigious authority to guardians to attach their members' insurances. There was also another reason for this Bill. The innovation of 1876 had been mistaken by some justices to give them power, under the 3rd paragraph, to force friendly societies to pay their members' money over to guardians, under the 1st paragraph, which had nothing to do with friendly societies. It was better not to leave this mistake to be set right, at great cost of litigation, by Courts of Law, but to make the law clear. At first sight, it appeared that allowing any moneys payable to paupers to go to their families was a violation of the principle of the Poor Law that relief should be given only to destitution. But such had not been in practice the interpretation put on the principle of the Poor Law, but the reverse. The original Act expressly invented the mode of relief by loan to meet cases of contingent income. The idea was that a man receiving weekly income, if temporarily he became in need of relief, should not pauperize his whole family, and might repay his own relief by subsequent earnings. Sick pay subscribed for through life by a poor man against occasional incapacity had never been considered as exclusively for his personal benefit, but a provision for his family at moments when he was unable to provide them with bread. Guardians also were by express instructions bound to consider the necessities of the family. They had, indeed, always the power as well as duty to take all the resources of the family into their account in apportioning their relief to any applicant; but not so as to be exhaustive of all provision for the family. He had it on the best authority that the usual practice of guardians as to sick pay due to an applicant for relief was to estimate it at one-half if there were a wife and family. For instance, if the society paid a pauper 10*s.* a-week and the guardians thought the family required 10*s.*, they would allow the applicant 5*s.*, leaving 5*s.* to go to his family—estimating the payment due to him from the society at one-half its actual amount in consideration of the wife and family. Their motive in adopting this version of the law was that it operated in the encouragement of these societies. The Poor Law Commissioners, in their first Report, said that the best influence of the new Poor Law was that it had increased provident societies and deposits of labourers who had been previously paupers; and the guardians had not only the sense now, but the express instructions, not to change the aspect of the law in so disastrous a manner as to discourage these societies. But was sick pay, which the poor subscribed for against a day of incapacity to work, and which was only to be paid them on their associates' judgment of their claim duly accruing, by any stretch of interpretation capable of being considered actual property or assets, such as the Poor Law required to be exhausted before relief was given? It was a payment contingent on the case and on the judgment of the society of the case being made out, and was in every sense precarious, and certainly incapable of being exhausted before it was even paid and was only possibly due. But he might press this argument much further, and say that the subscriptions of the poor to a provident association were of the nature of a voluntary poor rate. They were *ejusdem generis* and only distinguishable from a legal poor rate as self-imposed and not enforceable by law. It was also material to consider that this voluntary poor rate was undertaken by many who were too poor to be liable to the legal rate. It was really a voluntary rate-in-aid and so much in relief of the legal rate, and a present to the ratepayers of the country to an amount which had been estimated at £2,000,000 a-year, besides the still greater gain to the country that it came from the very spirit of self-reliance which the Poor Law sought to rally against the fatal spirit of pauperism, which it tried to the utmost to reduce. If, then, this Bill, so far from violating, redeemed the spirit of the Poor Law from its violation in 1876; if it removed a most mishievous irritation between the guardians of the poor and their best allies the provident societies; if it left the guardians as able as ever to adjust their relief with the resources of the poor, but not by attacking the societies; if it restored the law's letter to its most successful practice and did justice to the most precious efforts of the poor to supply their own relief, he hoped their Lordships would not hesitate to give a second reading to a Bill so fraught with good.

Moved, "That the Bill be now read 2ª."—(*The Lord Norton.*)

THE EARL OF REDESDALE said, he still felt the objections to this Bill which he expressed last year. Its principle was in contravention to the whole system on which Poor Law relief was granted—namely, that they were only to tax others for relief when the persons to be relieved were in such a state as to be unable to maintain themselves. When a man had the means of maintaining himself, it was most unjust and unfair to call upon others to contribute to his maintenance. The case had been put of a pauper whose wife or family had some means independent of him. He could not see why money due to him from the friendly society should not be paid to the guardians to be applied towards his relief. It was true the House last Session went to the extent of allowing it in the case of pauper lunatics; but why? Because the cost of maintaining a pauper lunatic was so great. But there was no adequate reason for carrying the principle any further. He did not intend to oppose the second reading of the Bill, because he thought it was possible, as was done last year, so to amend it in Committee that the objectionable features might be removed. He should, when the Bill reached Committee, move such Amendments as he considered reasonable and just; and he trusted their Lordships would not be induced to depart from the well-established principles of Poor Law relief.

THE EARL OF KIMBERLEY said, he took some part in the opposition to this Bill last year, and, without going into the question again, would say that his objections to its principle had not been removed.

On Question? *Resolved* in the *Affirmative.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the *2nd of May* next.

COURTS OF JUSTICE BUILDING BILL.

(No. 44.)

(*The Lord Chancellor.*)

SECOND READING. BILL WITHDRAWN.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR said, that, owing to the pressure of Business in the other House, it had been thought desirable that this Bill should be initiated in their Lordships' House; but it had since been discovered that there were considerable difficulties involved in that course, and he therefore proposed that the Order should be discharged, and the Bill withdrawn.

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

ASSESSED RATES ACT AMENDMENT BILL.

(*The Earl Stanhope.*)

(NO. 55.) SECOND READING.

Order of the Day for the Second Reading, read.

EARL STANHOPE, in moving that the Bill be now read a second time, said, it was intended to remedy a grievance in the Electoral Law by which householders might be disfranchised owing to the notice with regard to compounding for rates not being in writing. He had been informed that 250 persons had lately been disfranchised at Windsor owing to this informality. The Bill, which consisted of a single clause, provided that no qualification or franchise, depending on rating or payment of rates, should be defeated by reason of any deficiency in any proceeding necessary for the validity of the composition under the Act of 1869, or by reason of any defect or informality in the making thereof. The Bill, he might add, had passed the other House with the sanction of both sides.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

RAILWAYS (IRELAND).—RESOLUTION.

VISCOUNT LIFFORD, in rising to move a Resolution of which he had given Notice, relative to the construction of narrow-gauge Railways in Ireland—

"That in the opinion of this House it is desirable that facilities should be given for the construction of railways in Ireland on a gauge narrower than five feet three inches in mountainous or thinly populated districts where the construction of railways on the standard gauge would be difficult or unremunerative,"

said: My Lords, it is not altogether of my own motion that I again trouble your Lordships as to a matter most important to Ireland, so I trust your Lordships will bear with me while I bring forward as a general principle a matter I brought forward as touching a particular railway but a short time ago. Now, your Lordships may not be generally aware that the railway gauge of Ireland—a poor country—is broader, and, consequently, more expensive, than the standard gauge of England. The standard gauge of England is 4 feet 8½ inches, the Irish gauge is 5 feet 3 inches, and the English gauge earns nearly three times as much per mile per annum as the Irish gauge—£4,212 per mile; £1,296 per mile. When the Irish Act 9 & 10 *Vict.*, c. 57, was introduced, it was near the close of the battle between the Great Western gauge of 7 feet and the London and North-Western of 4 feet 8½ inches, which, as we all know, ended in the general adoption of the latter. In short, the Irish gauge of 5 feet 3 inches was a sort of compromise —the feasibility of the narrow gauge, which has proved so successful, was, of course, then unknown. The effect of this in so poor a country as Ireland was very unfortunate. I do not mean to say that railways there were at first made with the strictest economy; but I do mean to say that they were made quite as economically as the early lines in England; and yet, for a long time, many of them paid the shareholders absolutely nothing. I had the honour to be the spokesman of a meeting of Irish railway directors who went to the late Lord Derby to lay before him the expediency of Government buying the Irish lines. Lord Derby, who could say as much in a few words as any man, answered very quietly—"Will you tell me what is the multiple of nothing?" I myself, being anxious to have the power of speaking at the half-yearly meetings of a very important railway into which a small line in which I was interested ran, bought a £30 share for 5*s.*—the best investment I ever made; for afterwards an amalgamation with another company took place—and £30 shares being turned into £5 shares, and then paying some dividend, I found that I got nearly cent per cent for my money. But your Lordships will observe that the sacrifice was five-sixths of the original property. Such was the effect of an expensive gauge in the poorer parts of Ireland. Now, there are two ways of meeting this. The noble Earl the Chairman of Committees conscientiously objects to pass Bills, on his sole responsibility, in the teeth of an Act of Parliament. I entirely sympathize with him. I trust, even when I differ from him, I do justice to his high motives. One of these courses would be to repeal the Act 9 & 10 *Vict.*, c. 57, which would entirely relieve the noble Earl. I confess, though I am here to-night to advocate a break of gauge when absolutely necessary for the opening of a poor district, I value uniformity when it is possible much too highly to advocate a measure which would impose no check on any amount of differences of gauge. I therefore adopt the second course, and propose to your Lordships the Motion of which I have given Notice, which confines the adoption of the narrow gauge to districts so poor or so difficult that a railway on the normal gauge could not be made with any hope of profit to the shareholders. And yet, while I grant this principle of avoiding, if possible, break of gauge, I must remind your Lordships that the evil is one more of appearance than reality. The inconvenience to passengers—especially passengers who carry little or no luggage, as do the vast majority of Irish passengers in the poorer districts—of stepping across a narrow platform is small; the cost of trans-shipment of goods varies from ½*d.* to 2*d.* a-ton. But the economy of a narrow gauge is far more than at first sight appears. It consists in the power to run lighter rolling stock; but, above all, in the power to run safely round sharper curves, thereby obviating the necessity of expensive cuttings—especially in a country consisting much of granite rock. As to the rolling stock, a waggon weighing 2 tons 7 cwt. will carry a load of 6 tons, which load would require a waggon of 5 tons on the broad gauge; while a first-class carriage on the narrow gauge carries six people in a compartment just as comfortably as they are carried on the London and

North-Western line. All this has been proved on three narrow-gauge railways in the County of Antrim, and vouched for by the Duke of Marlborough, who opened one of them. At the half-yearly meeting of one of them—the Ballymena and Larne Railway—Mr. Chaine, the Chairman, said—

> "One of the most striking things in their accounts was the cost of their train mile. They would see that cost was 1*s.* 7*d.* a-mile. If they took the cost of the leading lines of England, Ireland, and Scotland, they would see that the cost of the train mile was about 3*s.*"

I trust I have now made out a case for applying this cheap and convenient gauge to the wilder parts of Ireland. But it may be asked, how is it to be ascertained that the districts through which a proposed railway is to run is of such a nature that the standard gauge would be difficult or unremunerative? The Duke of Sutherland took his usual practical view of the subject when he said that no railway ought to be made in Scotland north of Inverness except on the narrow gauge. The County of Donegal—the county more immediately, at the moment, connected with this matter—contains 1,197,154 acres. Its valuation is only £294,181. The same acreage in England, towns included, would be valued at several millions. Surely it is obvious that to force on that extensive but poor county a gauge broader and more expensive than that of England would be a monstrous proceeding; and yet the alternative is its being deprived of railway accommodation. The noble Viscount then moved his Resolution.

Moved to resolve, That in the opinion of this House it is desirable that facilities should be given for the construction of railways in Ireland on a gauge narrower than five feet three inches in mountainous or thinly populated districts where the construction of railways on the standard gauge would be difficult or unremunerative.—(*The Viscount Lifford.*)

The Earl of REDESDALE said, he was sorry the noble Viscount should have proposed this Resolution. The noble Viscount, being himself a promoter of a 3 feet gauge line, came there and endeavoured to pledge the House in favour of a narrow-gauge system. What was the practical meaning of the Resolution? It was that this House should pass a Resolution declaring it desirable that facilities should be given for the construction of lines upon a 3 feet gauge. He did not wish their Lordships to do anything to prejudge the question one way or the other, therefore he did not propose to negative the Resolution—what he did propose to do was to move the Previous Question. As the House had no information before it, it would not be justified in coming to any resolution upon the subject. When the question was raised early in the Session, with regard to a Bill now before the House, and another Bill which had been thrown out, he (the Earl of Redesdale) proposed that they should have a Report of the Board of Trade on both those lines as to whether it was expedient that narrow gauges should be allowed; but his proposition was not adopted. It was not well to alter a general Act of Parliament by a side wind; and the noble Viscount was now asking the House to pass a Resolution, without information and without inquiry, which would have the effect of an Instruction to the Committee as to the Bill that might come before them. He thought it was not right that a Resolution of that sort should be adopted. Their Lordships must recollect that a Public Act had been passed sanctioning a particular gauge for Ireland; and they were now asked to alter that gauge without any information being laid before them. He thought he had said enough to show that it would not be a proper thing to accept this Resolution, and, therefore, he moved the Previous Question.

Then, a Question being stated, the Previous Question was *moved.*

Lord WAVENEY said, that this question appeared to him to be one of national importance. When it was brought before the House last Session it was supported by the best and most direct evidence their Lordships could obtain—that of the noble Duke the Lord Lieutenant of Ireland, who said that the opposition to the introduction of the narrow gauge into Ireland was not the best way to promote the interests of the country. Speaking from his own experience, he could testify to the advantage of the narrow gauge. Two railways ran in his own immediate neighbourhood which it would have been utterly impracticable, on engineering grounds alone, to have carried up steeps and across bogs, as they were now carried to the great advantage of the country, if the broad gauge had been adopted. Speaking, again, from his own knowledge, he could say that the narrow gauge was equally valuable in a district where mineral wealth was to be found. The great ore district of Antrim had been developed by the aid of the narrow-gauge system alone. Everyone acquainted with Ireland knew that the sanction of a narrow-gauge system was essential to the extension of railways in that country. The noble Viscount had shown good grounds in favour of his Motion, and he should therefore support it.

THE EARL OF LONGFORD said, he should support the Resolution proposed by the noble Viscount, as he considered it was very desirable that the House should express an opinion as to the advantage of making railways on the narrow gauge in such cases as those mentioned. He was certain that the whole railway traffic of Ireland could be conducted on the 3 feet gauge without difficulty. Intersecting systems of railway on different gauges could not be sanctioned, and nothing of the kind was proposed; but smaller feeding lines on narrow gauge might properly be introduced.

VISCOUNT MIDLETON also supported the Resolution. He was acquainted with two railways constructed on the old system—the Cork and Macroom and the Cork and Bandon—and the former, speaking from an experience gained unhappily only a few days since, having failed to pay at the higher speed, was now going at the rate of 12 miles an hour; while the latter, which used to go at the rate of 25 miles an hour, had reduced its speed to 16. If the principle of the narrow gauge were adopted, whole districts in the South and West of the County of Cork might be opened up; but a railway constructed on the ordinary principle would not pay in Ireland. It was essentially an Irish question; and he believed if the voice of the people of Ireland could be in any way elicited, it would be found to be in favour of the construction of the only lines which would open up the country.

LORD CARLINGFORD agreed with the noble Viscount who had last spoken (Viscount Midleton), that there were many districts of Ireland which, if a narrow gauge were not sanctioned by Parliament, would be left entirely without communication. He was, however, not satisfied with the form of the Resolution, though he would be sorry to vote against it. It did not in all cases follow that because a district was thinly populated a narrow gauge was therefore necessary. All that it was necessary for the House to affirm was that a Railway Bill should not be rejected merely on the ground that it proposed a narrower than the ordinary gauge. But this had been, in fact, already done before Easter, when the House referred to a Select Committee a Bill containing a proposal for a narrow gauge; and he was not sure that it was necessary for the House to express an opinion in a more formal way.

THE DUKE OF RICHMOND AND GORDON said, there was no person in that House who had a greater respect for the opinion of his noble Friend the Chairman of Committees upon all matters connected with the Private Bill legislation of the House than he had. He did not think that any persons who had not been connected with the Private Bill legislation in that House could have any knowledge of the very difficult and responsible position in which his noble Friend was placed upon almost all occasions of dealing with Bills of this character. They were much indebted to his noble Friend for his trouble in these matters, and they ought to view with some suspicion any cases in which they might be compelled to differ from his opinion. He agreed with the noble Lord who had last spoken (Lord Carlingford), that the form of the Resolution was not altogether a happy one—and in that respect he also agreed with his noble Friend the Chairman of Committees, who did not wish such a vague and general Resolution as that of the noble Viscount to be passed — although he (the Duke of Richmond) by no means desired to assert that no narrow-gauge railways should be constructed. He fancied that the real point at issue was the same as that in the Letterkenny Railway Bill and the West Donegal Railway Bill, which were formerly under discussion in that House. He understood that the Letterkenny Railway Bill had been before the Committee presided over by the Chairman of Committees, and that the West Donegal Railway Bill would be referred to a Select Committee, and was only waiting for the Members to be named. It seemed to him that when it came before the Committee the promoters would be required to bring forward such evidence as would satisfy the Committee that the district really required narrow-gauge railways. He would venture to propose, if his noble Friend the Chairman of Committees would give his consent, that an inquiry upon the points raised in the Resolution should be made by the Board of Trade in the case of the Letterkenny and West Donegal Railways; that a Report should be made upon both these railways; and that the noble Viscount who had brought forward this Resolution should be satisfied with having called the attention of the House to the point, without asking their Lordships to agree to the more general terms of his Resolution. This, he thought, would be a just way of meeting the difficulty. It would not pledge the House to a universal system, and yet, at the same time, it would do substantial justice to those parts of the country which would be intersected by the railways he had referred to.

The Earl of REDESDALE said, he could not altogether agree with what had fallen from the noble Duke in reference to the Letterkenny Railway Bill. He had proposed the very inquiry which the noble Duke now suggested in reference to that Bill, in order that the Board of Trade might report upon the question of the Irish railway gauge, and his proposal being opposed by Her Majesty's Government, it was rejected by a very small majority. The Letterkenny Bill, consequently, came before him in his capacity of Chairman of Committees as an unopposed Bill, in the usual manner. He desired further information and adjourned its hearing in order to give the promoters an opportunity of bringing over from Ireland witnesses in its favour. And what was the result of that evidence? It was shown that the original Bill for the construction of this line had been obtained 16 years ago, with a capital of £100,000; that about £80,000 had been expended in the purchase of land and in the construction of works on the broad-gauge system; that a few years ago the Company had again come before Parliament for powers to increase their capital by another £100,000. That also was granted—they got the second £100,000, more land had been purchased, and some further work done. How did the matter stand last Session? In the last Session of Parliament they came forward asking for an extension of time for the construction of the line—but they said nothing about an alteration of the gauge—this Session, however, the promoters had come before Parliament for the third time—and now, for the first time, sought leave to adopt the narrow gauge. He thought that he should have been taking a very odd course if, under those circumstances, he had passed the Bill authorizing a 3-foot gauge; and he, therefore, felt it his duty to report to the House that it was inexpedient to proceed with the Bill, and that measure was now dead. He must remind the House that he had arrived at that decision after a full consideration of the evidence brought before him, and with that evidence before him he did not think that he could have come to any other conclusion. Did the noble Viscount who had brought forward this Motion (Viscount Lifford) suppose for a moment that he had arrived at his decision on the matter without having carefully considered the question referred to in his Resolution? It was an insult to him to suppose that he had done so. If he were not to be trusted to deal with a Bill of this nature, he was not fit to hold his present Office. If, therefore, any Resolution were passed which should have the effect of directing the Letterkenny Bill to be re-committed, he should at once resign his position as Chairman of Committees.

The Duke of SOMERSET thought it would be most unjust to compel all Irish railways, in all circumstances, to adopt the broad-gauge system, simply because, some years ago, that system was thought to be the best. They remembered the battle of the gauges in this country, and they intended to avoid the contest in Ireland; but, unfortunately, they imposed an expensive gauge on a poor country, and experience had now proved that the narrow gauge was not only the cheaper to construct, but by far the cheaper to work.

Viscount LIFFORD expressed his willingness to adopt the proposition of the noble Duke the Lord President of the Council.

THE MARQUESS OF LANSDOWNE inquired whether Her Majesty's Government were prepared with any alternative proposal in lieu of the Resolution of the noble Viscount? If not he should certainly vote in favour of the Previous Question.

VISCOUNT CRANBROOK thought that a Resolution to the following effect might be conveniently adopted by the House:—

> "That in the opinion of this House the construction of railways in Ireland on a gauge narrower than five feet three inches where the construction of railways on the standard gauge would be neither remunerative nor practicable is desirable."

THE EARL OF REDESDALE hoped the Government were prepared to bring in a Bill to that effect, for then there would be statutory provisions on the subject.

VISCOUNT LIFFORD said, he would accept the Resolution of the noble Viscount, and withdraw his own.

THE EARL OF KIMBERLEY said, he thought it an unusual proceeding to pass a Resolution which would have the effect of setting aside an Act of Parliament.

THE LORD CHANCELLOR said, that, of course, no Resolution could override the Act regulating the gauge of railways—it was simply an expression of opinion of the House that a departure from the strict letter of the law was desirable in a particular case. It seemed to him that the Resolution pointed, not to general legislation, but to a particular case. He had not forgotten what had passed some time before, or what had been done to show the opinion of the House that there should be, in cases of necessity, departures from the law; while it had been understood that for the future, whenever application was made for the introduction of the narrow gauge, there should be a Report by the Board of Trade. That was the understanding to which both sides of the House had come, though it was not in the form of a Resolution. Now, there had been two Bills relating to narrow-gauge railways before the House; and it had been their Lordships' opinion, as shown on a Division, that, as the Bills were already before them, it would be harsh to tie the hands of the promoters till the Board of Trade had made their Report. For that reason, in those two cases, there had been no Report; but it was perfectly consistent for the House to express its opinion, as a general principle, that, in future, there should be a Report of the Board of Trade. The only question was, what was to be done with the two Bills? and, perhaps, it would be well to agree to the proposal of his noble Friend.

EARL GRANVILLE asked if the Report of the Board of Trade was awaited in one case, what course would be followed with regard to the other Bill? Was the noble Earl the Chairman of Committees willing to accept the proposal of the Government in respect to the Letterkenny Bill.

THE EARL OF BEACONSFIELD said, that, as far as the procedure of the House was concerned, the fate of one Bill was decided; and if the course were adopted of referring the other to the Board of Trade all would be done that was really necessary. He believed that it was not usual in either House for general legislation to follow in consequence of such a Resolution as that to which they were now asked to agree.

LORD CARLINGFORD hoped that the noble Earl was not correct in saying that the fate of the Letterkenny Railway Bill was already decided, and trusted that if the Resolution were carried the noble Earl the Chairman of Committees would still consent to take back the Bill. Evidence could be given to show that the Bill came within the terms of the Resolution, and the case for it was much stronger than that for the West Donegal Railway Bill, which had been read a second time before Easter.

THE EARL OF REDESDALE said, that the case of the West Donegal Railway Bill was not entirely similar, and that, with regard to the Bill now under their consideration, ample time and the usual opportunities had been afforded for giving evidence in its favour. He had heard the evidence adduced, and had decided on the evidence before him. If the Bill were re-committed now, it would be tantamount to saying that he had come to a wrong conclusion on the evidence brought before him on that occasion.

THE EARL OF CAMPERDOWN said, he understood the proposal of the Government was that the Letterkenny Bill should be re-committed.

THE EARL OF BEACONSFIELD: We proposed that the Bill should be re-committed with the consent of the

Chairman of Committees—and that we have not obtained.

The LORD CHANCELLOR hoped that after the intimation of the opinion of the House to-night the noble Earl the Chairman of Committees would consent that the Letterkenny Bill should be re-committed, and that it and the West Donegal Bill might be considered by the same Committee.

The Earl of REDESDALE said, he was unable to agree to that proposal. The Bill had come before him in the ordinary course, and if it were referred to another Committee the inference would be that the House was dissatisfied with the conclusion at which he had arrived. If the House passed a condemnation of his action in the matter, he should not be fit to occupy the position which he held.

Then the said Motion and original Motion (by leave of the House) *withdrawn.*

Then it was *moved*—

> "That in the opinion of this House the construction of railways in Ireland on a gauge narrower than five feet three inches, where the construction of railways on the standard gauge would be difficult or unremunerative, is desirable."

On Question? *Resolved* in the *Affirmative.*

ARMY — RANGE-FINDERS.

QUESTION. OBSERVATIONS.

Lord TRURO asked, Whether the Government had decided to adopt range-finders throughout the Army; and if so, what steps, if any, had been already taken to provide them and insure their efficient and careful use? It was highly desirable that no time should be lost in adopting range-finders and furnishing them to the troops, as we were all aware that success in war could no longer be achieved simply by discipline, by numbers, or by courage, but that we must in future look for our success to scientific appliances and the precision of the arms supplied to the men. Therefore, it was important to ascertain from Her Majesty's Government whether they had adopted this new invention.

Viscount BURY, in reply, said, that two kinds of range-finders had been adopted in the Service. They had been ordered in considerable quantities, a great many had been served out to the troops, and the regiments now serving at the Cape had range-finders in their possession under the charge of the musketry instructors. Range-finders on the Nolan and Watkin system had also been supplied to the Artillery—one to each battery. His noble Friend had also directed his inquiry as to the mode in which the range-finders were to be kept in order and used. The Committee on Range-finders recommended that men should be specially told off for this purpose. That recommendation had not, however, been carried into effect. It had been thought that the skilled officers in command of batteries and the musketry instructors might be properly intrusted with these duties; therefore, no special non-commissioned officers and men had been told off to work the range-finders, and no special pay was given to the persons who worked them. This was a matter of military detail and economy. He could give no information as to how the range-finders had worked in practice; but he thought that what he had just stated would be a sufficient answer to the Question of his noble Friend.

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 24th April, 1879.

MINUTES.]—Public Bill—*Committee*—Prosecution of Offences [68], [House counted out].

QUESTIONS.

BANKRUPTS—DEBTORS' ACT, 1869.

QUESTION.

Mr. DODDS asked Mr. Attorney General, Whether in the year 1876 the Lord Chancellor sent a Circular to the Judges of the County Courts requesting them, when they ordered the prosecution of a bankrupt, to make it part of the Order that the trustees should employ the Solicitor to the Treasury to conduct the prosecution, or, as an alternative—

> "To cause the Registrar to direct the trustee to employ such solicitor, and to inform him that if he employs any other solicitor no costs will be allowed over and above the amount which may be allowed under Section 17 of the 'Debtors' Act, 1869;'"

and, if so, whether he will state under what authority this step was taken by his Lordship?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): In the year 1876 the Lord Chancellor did send a Circular Letter to the Judges of the County Courts containing the request referred to in the Question of the hon. and learned Member. I shall be happy to lay on the Table of the House a copy of this Letter if it is desired. The Debtors' Act, 1869, Section 17, provides that the costs of the prosecution of a bankrupt shall be allowed, paid, and borne as expenses of prosecutions for felony are allowed, paid, and borne. These costs are the only costs which, in strictness, the prosecutor is entitled to; but generally, in prosecutions under the Debtors' Act, there are extra costs, which are in some cases extremely large, and it is obviously impossible for the Treasury to undertake to pay such costs unless it has a control over the conduct of the prosecution. The Treasury cannot have such control unless the prosecution is confided in the Solicitor to the Treasury. The step taken by the Lord Chancellor was taken with the sanction of the Treasury.

LAW AND JUSTICE—ABERYSTWYTH MAGISTRATES.—QUESTION.

SIR WILFRID LAWSON asked the Secretary of State for the Home Department, Whether his attention has been called to the proceedings of certain Magistrates at Aberystwyth, who are alleged to have attended a supper which was lately held at the Lion Hotel in that town, and when the hour of eleven approached, are stated to have there and then signed an order for an extension of hours for the sale of drink on the premises in order to conclude the festivities of the evening; and, if so, whether he sees anything in the case which calls for his interference?

MR. ASSHETON CROSS: I believe that there is in this town a very old club which meets once a-year to settle its accounts, and the members usually have supper together afterwards. It has been the invariable practice hitherto to apply to the magistrates in the ordinary course for leave to have the house open for another hour, and it has been usual to grant this application. I am told that on this occasion, through some accident, no one had remembered to make the proper application, and the result was that when this was found out in the course of the evening, it was suggested that the defect should be remedied as soon as possible. I am bound to say, while giving the magistrates credit for wishing to do right, that I think they did extremely wrong. In my opinion, they had very much better have broken up and gone home. More than that I cannot say, except that I believe they are very sorry for what has happened.

SOLICITORS' ACTS, 1860 AND 1877—ARTICLED CLERKS.—QUESTION.

SIR WALTER B. BARTTELOT asked the Secretary of State for the Home Department, What is the practice as to exempting persons, becoming bound under articles of clerkship to solicitors, from the necessity of passing an examination in general knowledge, as provided by the Solicitors' Acts, 1860 and 1877?

MR. ASSHETON CROSS, in reply, said, the answer to the Question of his hon. and gallant Friend would be found in Section 11 of the Act of 40 & 41 *Vict.* c. 25, which empowers the Presidents of the Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court, and the Master of the Rolls, or any one of them, on the presentation of a Memorial showing special circumstances, to allow the preliminary examination to be dispensed with. His hon. and gallant Friend was, he believed, to move for a Return on the subject, which there was no objection to grant.

ARMY—OFFICERS' CHARGERS.
QUESTION.

LORD LINDSAY asked the Surveyor General of the Ordnance, Whether, if an Officer's charger dies on the passage to Zululand Her Majesty's Government will give him compensation; and, whether, while on active service, Cavalry Officers are to pay for a part of their forage as they are compelled to do in times of peace?

Lord EUSTACE CECIL: Compensation for the loss of horses is governed by the Royal Warrant, 1848. If a charger should die on the voyage from natural causes, no compensation is admissible; but should the horse die in consequence of shipwreck or an inevitable casualty occasioned by stress of weather compensation would be granted. Officers have an allowance in their pay for the keep of their horses, which they repay when the Government provides them with forage. If the officer's horse is not foraged by the public, the stoppage is not exacted.

EGYPT—FINANCIAL CHANGES—DISMISSAL OF MR. RIVERS WILSON.

QUESTIONS.

Sir JULIAN GOLDSMID asked Mr. Chancellor of the Exchequer, Whether Mr. Rivers Wilson will now resume his employment as Chief Commissioner for the Reduction of the National Debt, as his two years' leave of absence was only granted to enable him to accept a post in Egypt from which he has now been dismissed; and, if so, when Mr. Rivers Wilson will return to England for that purpose?

The CHANCELLOR of the EXCHEQUER: Sir, Mr. Rivers Wilson was allowed leave of absence from his post of Controller and Secretary to the Commissioners for the Reduction of the National Debt—not Chief Commissioner, as the hon. Baronet's Question described him—in order that he might accept the office which he has now ceased to hold. He will now return to his office; but I cannot exactly say when.

Sir JULIAN GOLDSMID: Have the Government sent instructions for him to return home?

The CHANCELLOR of the EXCHEQUER: We shall hear from Mr. Rivers Wilson in the course of a few days.

ARMY—OFFICERS OF THE COAST BRIGADE (ROYAL ARTILLERY).

QUESTION.

Earl PERCY asked the Surveyor General of the Ordnance, Whether, prior to the 1st May, 1878, the officers of the Coast Brigade, R.A., had not the right to retire on full pay after thirty years service, in common with the other combatant officers of the Army; whether the Royal Warrant of that date by Article 116 and Article 140 did not for the first time deprive those officers of this privilege, making their retirement depend solely on age, irrespective of length of service; and, whether there is any reason why they should not enjoy the same advantages as the other combatant officers of the Army?

Lord EUSTACE CECIL: Previous to the issue of the Royal Warrant of the 13th of August, 1877—which is now embodied in the Royal Warrant of the 1st of May, 1878, quoted by my right hon. and noble Friend—officers of the Coast Brigade of the Royal Artillery had not a right to retire on full pay after 30 years' service. Such cases were specially considered under Article 14 of the Royal Warrant of the 24th of February, 1873. Each case had to be submitted to the Treasury and was considered on its merits. The new Warrant has conferred on these officers the right which they did not before enjoy of retirement on full pay at the age of 55, provided they have 30 years' service, including 15 years as commissioned officer; and I have been unable to trace a single instance where an officer of the Coast Brigade of the Royal Artillery below that age was allowed to retire on full pay under the special arrangements of the Warrant of the 24th of February, 1873. Those are, I consider, sufficient reasons for the exceptional regulations in regard to those officers which have been laid down in the present Royal Warrant.

ACT 28 VICT. c. 87—CORN AVERAGES.

QUESTION.

Colonel RUGGLES BRISE asked the President of the Board of Trade, Whether he will cause inquiries to be made as to the operation of the Act 28 Vic. c. 87, in reference to the Returns of Imperial corn averages, which Act reduced the number of towns from which corn averages were taken from 290 to 150, causing thereby a much higher average, and inflicting a great injustice upon the tithepayer; and, whether he will take steps with a view to an arrangement by which corn averages may be more fairly taken?

Mr. J. G. TALBOT: In answer to my hon. and gallant Friend, I have to say that at the time when the Act of 1864, to which he refers, was passed, it was ascertained, upon inquiry, that very little difference was made by taking the Corn Returns from 150 towns only, instead of from 290. If anything, the prices of the 150 towns were lower than the prices of the 290 towns. We have no reason to believe that, in fact, the prices—which, since 1864, have been taken from the 150 towns—have been higher than they would have been if taken from a larger number; and, consequently, I cannot admit the great injustice to the tithepayer of which my hon. and gallant Friend speaks. I may take this opportunity, however, of assuring him that the mode of ascertaining the corn averages is under the consideration of the Board of Trade; and we shall be at all times prepared to consider any suggestions with which we may be favoured on the subject.

EAST INDIA — (DUTIES ON COTTON GOODS).—QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, Whether it is the case that the late reduction of the Cotton Duties in India was carried out by the Governor General in opposition to the opinion of his Council; and, if so, whether it is the opinion of Her Majesty's Government that such a reduction of Duties is a measure whereby the safety, tranquillity, or interests of the British possessions in India are essentially affected within the true intent and meaning of 3 and 4 Will. 4. c. 85, s. 49, by which alone the Governor General is justified in the extraordinary measure of over-ruling his Council; whether he will produce the Papers on this subject, showing the grounds on which Lord Lytton exercised those extraordinary powers in a matter of Customs Duty of this kind; and, whether the question of this reduction of the Cotton Duties were ever submitted to the Council of India in this Country, and with what result?

Mr. E. STANHOPE: Yes, Sir; it is true that the recent reduction of the cotton duties in India was carried out by the Viceroy in opposition to the majority of his Council. The hon. Member assumes that the Act under which this course was taken was the one to which he refers, 3 & 4 *Will.* IV. c. 85, s. 49; but he is mistaken. It so happens that that section has been repealed. The Viceroy acted in accordance with the 5th section of the Act 33 *Vict.* c. 3. Anyone who read that section will, I think, be convinced that the occasions upon which this power should be exercised are left entirely to the sole discretion of the Governor General of India. The measure for the partial repeal of the cotton duties is considered by the Governor General to be one "whereby the interests of the British Possessions in India are, in his opinion, essentially affected." And the reasons put forward by him and by the minority of his Council for forming that opinion are fully stated in the annual Financial Statement. That Statement has recently been received in this country, and will, of course, be laid, according to the usual practice, before the Secretary of State in Council. I may add that the whole subject was very carefully considered by the Secretary of State in Council in 1876; and a despatch, bearing date the 31st of May, 1876, was sent to India, stating that—

> "The interests of India imperatively demanded the timely removal of a tax which is at once wrong in principle, injurious in its practical effect, and self-destructive in its operation."

Sir GEORGE CAMPBELL: I beg to give Notice that I will take the earliest opportunity of moving—

> "That the action of Lord Lytton, as Governor General of India, in over-ruling his Council on a question of Customs Duties on Cotton Goods, is contrary to the true intents of the Law, an evasion of Constitutional restraints, and a dangerous advance in the direction of personal Government."

CRIMINAL LAW—CRIMINAL LUNATICS IN COUNTY ASYLUMS.—QUESTION.

Sir JOSEPH BAILEY asked the Secretary of State for the Home Department, Whether any complaints have been received as to the inconvenience and danger arising from the present practice of sending Criminal Lunatics to County Asylums; and, whether he has considered the desirability of making use of one or more of the discontinued Prisons for the confinement of such Criminal Lunatics?

Mr. ASSHETON CROSS, in reply, said, that only one complaint had been received, and that was made under a misconception of the law and practice with regard to criminal lunatics. In the course, however, of an inquiry made by him some time ago with respect to Broadmoor, it did appear that the presence of criminal lunatics in county asylums was, to a certain extent, a source of inconvenience. He had not considered the desirability of using discontinued prisons for the confinement of such criminal lunatics as were now sent to county asylums, as the charge of these lunatics did not fall upon the Government.

DOGS REGULATION (IRELAND) ACT (1865) AMENDMENT BILL.

QUESTION.

Major NOLAN asked the Chief Secretary for Ireland, If he will allow, between the printing and the Second Reading of the Dogs Regulation (Ireland) Act (1865) Amendment Bill, an interval sufficient (say three weeks) to permit of the Irish farmers expressing an opinion as to whether the tax per dog should be raised to 7*s.* 6*d.* or should remain as at present at 2*s.* 6*d.* ?

Mr. J. LOWTHER: Sir, I shall be happy to comply with the wish of the hon. and gallant Gentleman. The Bill was printed to-day, and I propose to take its second reading on Friday, the 16th of May.

WAYS AND MEANS—THE REVENUE—CUSTOMS AND EXCISE.—QUESTION.

Sir WILLIAM HARCOURT asked Mr. Chancellor of the Exchequer, Whether there are any special causes to account for the great falling off shown by the weekly returns in the receipts of the revenue from Customs and Excise in the period April 1—April 19, 1879, as compared with those from April 1—April 20, 1878, amounting in the case of the Customs to £400,000, and in that of the Excise to nearly one million; and, if this falling off is due to a variation in the times of collection, or to any other cause?

The CHANCELLOR of the EXCHEQUER: Sir, I do not wonder that the great falling off in the Returns from the Custom and Excise has attracted the attention of the hon. and learned Gentleman; but it is easily explained. With regard to the falling off of £966,000 in the Excise, it must be remarked, in the first place, that there is one day less in the period taken in the present year than in that with which it is compared, and there is virtually another day less owing to the bank holiday on Easter Monday falling within this year's period. This, at the rate of £60,000 a-day, is equal to a sum of £120,000 less this year than last. Again, the Excise collectors—and that is a most important point in the falling off in the Excise—began their collections for the North rounds one week later than last year, and that accounts for upwards of £400,000. Last year they began on the 8th of April, and this year on the 14th of April. This difference will not appear when the rounds are completed, which will not be until the end of May. It should also be remembered that there was an exceptional receipt from spirit duties in 1878 in anticipation of an increased duty. This receipt amounted to £278,000. In addition to these especial causes, there has been a falling off in receipts of malt duty, which was known would be the case, and which was provided for in the Estimates for the current year. The cause of the falling off of £421,000 in the Customs revenue for the period from the 1st to the 19th of April, 1879, as compared with the corresponding period of 1878, is owing principally to the large amount of duties which were paid by merchants from the 1st to the 4th of April, 1878, in anticipation of the Budget which was introduced on the 4th. The amount received in London in these four days amounted to £360,200, duties being paid largely on spirits and tobacco as well as on tea. This year the Budget was introduced on the 3rd of April, so that the merchants had only three days to pay in anticipation, the duties in London for that period being only £440,600, or £229,600 less than in 1878. The same principle holds good as regards the outports, and the difference in favour of 1878 may be stated at £110,000. In addition to the above, two holidays fell within this period in 1879—namely, Good Friday and Easter Monday; while only one fell in the same period in 1878—namely, Good Friday. This may be set down as accounting for £60,000 against 1879. These facts explain what appear to be, at first sight, a very startling difference.

VICTORIA—THE LEGISLATIVE CRISIS.

QUESTION.

Mr. A. MILLS asked the Secretary of State for the Colonies, Whether any further Correspondence respecting the differences between the two Houses of the Legislature of Victoria has taken place since that already presented to Parliament; and, whether any Official Communications have passed between the Colonial Office and the Delegates of the House of Assembly of Victoria now in England; and, if so, whether there would be any objection to lay such Communications upon the Table of the House?

Sir MICHAEL HICKS-BEACH: Yes; there has been a further Correspondence respecting the differences between the two Houses of the Legislature of Victoria, and I hope shortly to be able to lay it on the Table of the House.

ORDERS OF THE DAY.

WAYS AND MEANS—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE NATIONAL EXPENDITURE.

RESOLUTION.

Mr. RYLANDS, in rising to move the following Resolutions:—

> "1. That this House views with regret the great increase in the National Expenditure.
>
> "2. That such Expenditure, for which Her Majesty's present Government are responsible, is not necessary, in the opinion of this House, to provide for the security of this Country at home, or for the protection of its interests abroad.
>
> "3. That the Taxes required to meet the present Expenditure impede the operations of agriculture and manufactures, and diminish the funds for the employment of labour in all branches of productive industry, thereby tending to produce pauperism and crime, and adding to the local and general burdens of the people.
>
> "4. That this House is of opinion that immediate steps should be taken to reduce the present Expenditure to such an amount as may not only equalize the Revenue and Expenditure, but may give material relief to the British taxpayers,"

said: We hear rather curious discussions as to what are the principles and the policy of the Conservative Party under its present Chief; and I do not wonder that there is some difficulty in coming to a satisfactory conclusion on this knotty question, seeing the Protean character of the measures of the Government. But, Sir, there is one matter which we can always predicate when a Conservative Government with Lord Beaconsfield at its head comes into power, and that is an increase in the National Expenditure. Lord Beaconsfield, in Opposition, is one of the most economical of critics; in power, he is the most extravagant of Ministers. During the latter years of Lord Palmerston's Government, Mr. Disraeli, in this House, constantly declaimed against the expenditure of Government. He denounced "bloated armaments;" he charged the Government with "profligate expenditure." He said to Lord Palmerston that his "turbulent policy abroad" increased taxation and involved large expenditure; and, in 1862, he warned the Government that—

> "If they allowed their resources to be sapped, weakened, and exhausted, they would deprive themselves of the principal source of their power—a sound state of finance."

It would be well if Lord Beaconsfield would bring to bear on his own policy at the present moment the wise counsels he gave to Lord Palmerston's Government. But it was not very long after Lord Beaconsfield had made that statement in this House that he was called upon to join Her Majesty's Government; and in 1866 the Conservative Government, of which Mr. Disraeli was a prominent Member, was formed. Now, Sir, the moment that Cabinet was formed, we find that the economical professions of Mr. Disraeli were thrown to the wind. There was, in point of fact, a marvellous inconsistency between his promises and the literal fulfilment of them. When the Government was formed, we observe at once that the Cabinet began making things pleasant all round. It was a good time for disposing of the patronage of the Crown; and in every Department—in the Army and Navy, and in the Civil Service—we had inflated Estimates and Supplementary Votes. That Government came into power, as I have said, in 1866, with an Expenditure, for the year ending March, of £66,000,000. The Government was in power for only a very short time. It went out of power in 1868, and yet, during that short period of its existence, it had increased the Expenditure from £66,000,000 to £72,000,000. The Government also left arrears of £4,500,000, on account of the Abyssinian Expedition, and other Services, to be paid by their successors. Well, exactly the same thing has happened with the present Government. They came into Office in 1874, and they found an Expenditure of £73,000,000, excluding the Alabama Claims. Last year the Expenditure was £85,000,000. But that was not the whole of the case. The House would recollect that in February last year the Government came down and proposed a Vote of Credit; and they obtained that Vote, I would say, on grounds very much resembling false pretences. ["Oh, oh!"] I will tell hon. Gentlemen why—and I am within their recollection. The Government said if we would grant them £6,000,000, it was only to be a sort of demonstration of moral influence to Europe, and they would not spend the money. Do not hon. Gentlemen recollect that the moment that those £6,000,000 were voted, the servants of the Crown rushed upon the expenditure of the Grant with almost reckless extravagance? They laid violent hands upon those £6,000,000, and then performed a financial feat which is unparalleled. Within six weeks, in addition to the ordinary Expenditure, they managed to spend £3,500,000. I want to point out that that £3,500,000 was spent for stores, and other charges, which properly came into account in the following year. Many of those stores, I am quite sure, were brought into stock, because this Expenditure was going on at the very last day in March, 1878; and I have very good reason to believe that we paid out of the Vote of Credit for a number of things which were not supplied until after the 31st of March. I believe, also, that a portion of that £3,500,000 was paid into the Treasury Chest, and that a certain portion was actually expended after March 31st, 1878; but whether that be so or not, I say we are entitled, in looking back at the Expenditure of last year, to bring into it the £3,500,000 which practically belonged to the year 1878-9. But that is not all. During that year we carried on, for Imperial purposes, a war in India, and we have spent £2,000,000. The Government shrink from imposing the £2,000,000 on our taxpayers. If, in addition to ordinary Expenditure, they had added the £2,000,000, there would have been an additional tax to impose; and the Government, therefore, had recourse to a financial juggle. The £2,000,000 is to be loaned to India without interest; and every hon. Gentleman knows that, sooner or later, Great Britain will have to pay the £2,000,000. Just add up the total, and you will find a Budget Expenditure of £85,000,000; Vote of Credit, £3,500,000; Loan to India, £2,000,000—giving a total Expenditure for Imperial purposes by Her Majesty's Government in one year of £91,000,000. Of course, this has not been exhibited to the country; this has been concealed. It has been concealed by means of Exchequer Bonds and other devices of impecuniosity. They have raised in Revenue during the last 12 months no less a sum than £83,115,977; and I say that it is an amount so enormous that it is entirely unprecedented in the history of the country. There has been ample justification for the Resolutions which I have the honour to propose. To show the way in which the National Expenditure is going forward by leaps and bounds, I will just ask the attention of the House for a moment to a statement of the Expenditure during the last 60 years. [*Laughter.*] I am not going into the figures for each year. In the year 1819, when the Expenditure was resuming its normal proportions after the great pressure of the Continental War, the gross Expenditure of this country was £57,750,000; in 1850, £55,500,000—making a decrease in the 30 years ending 1850 of £2,250,000. What has happened since? Why, since 1850, upon the Budget Expenditure of last year there has been an absolute increase of £30,000,000 in the Expenditure of this country. That is to say, the gross Expenditure has increased from £55,500,000 to £85,500,000. Now, Sir, there are two statesmen who have been chiefly responsible for this enormous increase in Expenditure during the last 30 years—one was Lord Palmerston, and the other is Lord Beaconsfield. Mr. Cobden once said, in this House, that Lord Palmerston had cost the country £100,000,000, and he thought that Lord Palmerston was dear at the price; but Lord Beaconsfield has determined not to be inferior to any other statesman in any walk of life, and Lord Beaconsfield has, indeed, distanced every competitor in the race of extravagant Expenditure. It is not surprising. Lord Beaconsfield came to take charge of the National Finance with an axiom which he announced to his admiring friends at Aylesbury some years ago, when he said that—"If it is earned by an industrious and free people, the National Debt is a mere fleabite!" If he regards the National Debt as a mere fleabite, one can easily imagine his indifference to reducing it or keeping down the Expenditure. Now, I charge upon Lord Beaconsfield that he has not only heaped up from year to year additional millions of Expenditure upon this country, but that he is, in fact, exposing us to future liabilities which it is utterly impossible for anybody to realize. In fact, he is going in a spirit of reckless adventure all over the world, and a costly adventure it is. There is a class of people in this country—perhaps they are represented on the other side of the House —who seem to like being taxed, and they join in a "People's Tribute" to the Premier, and they are going to present him with a gold wreath. The active promoter of this scheme is a gentleman with a curious name—Mr. Tracey Turnerelli—and he has placed himself upon a pinnacle of fame by initiating this grand scheme, and he, no doubt, derives great assistance from the eloquence of a clergyman in Manchester, who, a few weeks ago, preached a sermon of an admirable description. I shall not trouble the House with the whole of the sermon, but only a few passages, and must give out the text. The Rev. Richard Butler, preaching at St. Silas's Church, spoke from the text—"What shall be done unto the man whom the King delighteth to honour?" And upon that text he drew an elaborate parallel between Mordecai, Joseph, the Ruler of Egypt, and Lord Beaconsfield, whom he considered three of the greatest statesmen in the world's history. He asked—

> "What had been done in England for the man who, by God's grace, had risen from a gentleman of the Press to be a Peer in England, and almost the King of England?"

There were a number of other very pretty recognitions of Lord Beaconsfield's great services. ["Go on!"] I will not trouble the House with the whole of the sermon. He concluded it by saying that—

> "He hoped that, in addition to the honour Lord Beaconsfield had received, a splendid gold wreath might be got up for Benjamin Disraeli by the millions of England, each giving a penny for this wreath of gold to adorn the head of Benjamin Disraeli, in whose career there was not one dishonourable blot."

But out of the 34,000,000 people of England, 52,800 only have been found each of them to give a penny towards this tribute to the Premier. I suppose those people are the Rump of the Jingo Party; and I hope that they will take the tribute in procession to Downing Street, and thus achieve the dignity of a Tichborne demonstration. But, Sir, this is not the only tribute which is now being paid by the industrious millions of this country to the Premier. Every struggling tradesman and farmer sees his income diminishing and his anxieties increasing in consequence of the burdens which have been laid upon him. Every distressed operative not only has to sacrifice the comforts but the necessaries of life; and even the poor wretched pauper, who goes into a grocer's shop and buys half-an-ounce of tobacco, contributes his tribute in recognition of the great policy of the Premier of England. I ask the House to consider whether the present condition of England does not furnish very important justification for the Resolutions which I have ventured to submit to their notice. I have no doubt that in former periods there have been occasionally narrow districts in England where trade has been more seriously depressed, and where the sufferings of the people have been greater than at present; but I think I shall be borne out by the House, when I say that in no former period of our history has there been such a general and such a universal depression of trade, and so much commercial suffering in all branches of industry, as there is at the present moment. ["No, no!"] I do not know whether hon. Gentlemen take the trouble to read the trade reports in *The Times;* but if they look over the trade reports of last Monday they will find a notice of the state of trade in all the principal centres of industry. They will find that in Birmingham orders are slack and stocks heavy; Sheffield, trade unsatisfactory; Manchester, cloth slow of sale; Nottingham, prices unremunerative; Bradford, trade dull and without improvement; Dundee, limited business; Huddersfield, trade very dull; Leeds, unremunerative rates;

and Middlesborough, trade depressed. I have taken all of the most important places of industry in England. Hon. Gentlemen seemed to think that these accounts mean very little; but we, who are connected with these industries, know they mean very much. We know they mean that millions of capital at the present moment are being employed in this country without remuneration, and, in many cases, with absolute loss. We know that these reports mean that amongst the working classes of the country there is a less demand for employment, there are reduced wages, there is an absolute loss of work, and we know that the effect of all that is to add to the demand upon the relief granted by the guardians of the poor. Well, Sir, it appears to me that there is another point in the present state of the country which is worthy of great consideration—that is, the interest represented so fully in this House—I mean the agricultural interest. It so happens, perhaps to a greater extent than we have ever experienced in this country, that trade and agriculture are at the present moment companions in distress; that agriculturists are suffering in a manner that they have never done before. There has been a succession of four bad harvests. While I hope, and, no doubt, we may believe, that that source of difficulty with the agriculturists may be removed under happier circumstances, yet we must bear in mind that there are other causes at work, the effect of which must necessarily continue to press very severely upon the agricultural interest. I noticed a speech, delivered the other day in Suffolk, by the hon. Gentleman the Member for South Norfolk (Mr. Clare Read), in which the hon. Gentleman alleged that one of the great difficulties under which agriculturists were labouring arose in consequence of the cheapness of food, brought about by increased importation of cattle and corn from other countries. My hon. Friend alluded, in his speech, to California, whence, he said, there were large importations of corn at a cost in freight of only 1*s.* per bushel; and he said that the farmers in California had a great advantage over the farmers in England, because they had a virgin soil, light taxes, and low rent. He also mentioned that from India, in 1873, we received 11,000 tons of wheat, but that in 1877 we received 256,000 tons. I saw in the paper a short time ago that Mr. Lawes, one of the highest authorities on agriculture, stated that in the United States more than 1,000,000 acres of wheat had been brought under cultivation every year for some years past; and he notices the fact that the agriculturists working the land are lightly taxed. I think it must be observed that there is a great depression coming upon the agricultural interest on account of the great importation of all kinds of agricultural produce. I know perfectly well what will be the result of all this suffering and national distress in all branches of industry. We shall find hon. Gentlemen coming to the Government and to the House with what Lord Derby so well called, at Rochdale, "quackish remedies for our present difficulties." What are the real remedies for this state of things? Now, I think I shall be borne out, when I say that one of the most important remedies of the present difficulties in which we are placed is that we should be able to have a cheap production if we are to stand against foreign competition. In regard to agriculture, as well as manufacture, we must endeavour to secure cheapness. We have to compete with the world; but we cannot do that satisfactorily with dear articles in manufacture. So, in the same way, if the agriculturists of England were to compete and stand successfully this importation of food from other countries, they must be in a position to dispose of their produce cheaply. Well, now, Sir, I think no hon. Gentleman can deny that it is a very important element in the cheapness of production that the burden of taxation should be reduced. When taxation was very much less than at the present moment, I remember that Mr. Cobden pointed out that heavy taxation, even then, was a most serious hindrance to the prosperity of the country. Could Mr. Cobden have lived until to-day, and have seen the enormous taxation of the Government now pressing on the country, I am quite sure he would have told us we were running a risk of permanently and seriously interfering with the manufacturing and commercial interests of the country. But it is not only as to Expenditure, in which Government could render great assistance to trade and agriculture—they could not only do this by cutting down Expenditure and relieving taxation; but what we want for the security and promotion of commerce is peace in our time. My hon. and learned Friend the Member for Oxford (Sir William Harcourt), in one of his eloquent and powerful speeches — for which the country is greatly indebted — only a short time ago, spoke about our living in the midst of war, and in the atmosphere of war. Sir, when war flourishes trade decays; it is utterly impossible for us to carry on the industry and commercial arrangements of this country if we are to be in a state of apprehension, if we do not know from one day to another where another thunder cloud may not burst. It is very essential, for the success of commerce, that there should be confidence not only in the present, but in the future. But we can have no confidence in the future so long as the Imperial policy of the present Government exists. And when they are approached by people who want some relief from this present distress, I venture to tell them that there are only two ways in which they could at once assist the trade of the country and agriculture also. One alternative was to cut down their Expenditure several millions and entirely change their policy; the other was for them to resign their seats. [*Laughter.*] I am not now speaking simply as a joke; but I firmly believe that any change of policy, or change of Government, would at once be felt by the great industrial interests of the country as a positive relief, and it would give confidence in future transactions. If hon. Gentlemen opposite doubt it, they had better take the opinion of the country upon it forthwith. Now, there is another urgent necessity for the Resolutions which I now submit to the House, and it is the extraordinary manner in which the right hon. Gentleman the Chancellor of the Exchequer has presented to the House, and has conducted the financial arrangements of the country. The mode in which the financial arrangements have been laid before the House has necessarily confused the minds of hon. Members, and has prevented the people appreciating, to the full extent, what the proposals of the Government were. There was, in the days of Queen Anne, an expression used by Dean Swift, which would not be inapplicable in this matter. I may say that, in respect to the financial arrangements of the year, the House and the country have been "bubbled"—have been kept from ascertaining, as they ought to ascertain, what is the actual Expenditure which is proposed; and, in fact, they have been prevented from grasping the financial affairs of the country. I do not, however, intend to dwell on this part of the case. I do not intend to dwell upon the way the Expenditure has been met by the issue of Exchequer Bonds—nor do I intend to dwell upon the first Budget, the second, or the third Budget; nor upon the fact that every anticipation experienced in the first Budget speech, except as to what was raised from taxation, has proved to be a delusion. One justification for the Resolution which I am now bringing before the House is that we shall have valuable contributions to the debate, which will enlighten the country with regard to the present financial policy of the Government. I hope the right hon. Gentleman the Member for Greenwich—the highest financial authority in the Kingdom—will give us the benefit of his opinion; and I am sure we are all glad to see the right hon. Gentleman the Member for Pontefract (Mr. Childers) in his place, believing that he, too, may address us upon this important subject. Well, now, when we look back at the manner in which the financial affairs of the last year have been conducted we are asked to go over exactly the same ground again; and I must say it will be scarcely respectful to the House for the Chancellor of the Exchequer to ask us this year to pass through the same humiliating course that we passed through during the last financial year. The Chancellor of the Exchequer has laid before the House his Budget Estimate, and he fixed the Expenditure at £81,153,573. Now, Sir, does the Chancellor of the Exchequer for a moment believe that this Estimate will not be exceeded? I cannot for a moment suppose that the Chancellor of the Exchequer imagines that his Estimate will not be exceeded. Does any Member of the Government, either in or out of the Cabinet—unless it may be the right hon. Gentleman the Judge Advocate General, who, judging from his speech at Cockermouth, does not hesitate to say almost anything—now venture to make such an assertion? I fully sympathize with the Chancellor of the Exchequer; for I am quite aware that all this financial confusion must be excessively distasteful to him. I am quite sure he feels very strongly these difficulties, which are not of his own creating. But how is it that he is unable to place before us in the Budget speech of the year a correct and reliable Estimate of the amount of the Expenditure? In ordinary Cabinets, there is no difficulty at all in affording this information. I presume when an ordinary Cabinet meets at the beginning of the financial year, they are enabled to calculate, with pretty fair certainty, what will be the Expenditure that the policy they have decided to adopt will be likely to require. But the Cabinet we have at present presents a most extraordinary spectacle. On many occasions we have seen evidences that there is a mind of wonderful power of tenacity—a mind filled with schemes of an Imperial and Oriental policy—which controls the minds of his weaker Colleagues in the Cabinet, and, practically, develops a policy which is made known to the Government when they are absolutely committed to it, and afterwards disclosed to the world. Why, Sir, it seems as though we were witnessing—when we look at the proceedings of Her Majesty's Government—it seems as if we were witnessing some great process of evolution proceeding from, and connected with, an inscrutable purpose. The Government have been positively dragged on, in spite of themselves, on these lines of turbulent aggression, which cannot be followed without seriously embarrassing the Chancellor of the Exchequer in his financial arrangements. Hon. Gentlemen, perhaps, think I have made this statement without any sufficient consideration. I would ask them just to look for a moment at some of these evidences, which will enable them to see that the policy of the Cabinet is one in which they have been controlled. Take, for instance, the period before the breaking out of the Russo-Turkish War. There is no doubt whatever that this House and the country felt with Lord Derby when he said that the greatest of British interests was peace; and I believe that the majority of the Cabinet had no bitter hatred against Russia—that they had no desire the occasion should occur to even humiliate Russia—and I do not think that they had the care for Turkey which would induce them to endeavour to bolster up an infamous Power. Lord Salisbury was sent to the Constantinople Conference, and it was understood he would make it appear that Turkey must yield to the decisions of the Conference. I believe Turkey would have yielded—we are entitled to say she would have yielded. But at the very moment that Lord Salisbury was trying to bring to bear this pressure upon the Porte—at that very moment—there was another agent of the British Government at work, who was backing up the Sultan of Turkey to resist the determination of the Conference. Sir Henry Elliot, who was supported by the great power at home, defeated Lord Salisbury's Mission, and the noble Lord returned unsuccessful from what had every appearance of a fool's errand. Now, Sir, I will give hon. Gentlemen another instance of this remarkable process of evolution. Take Afghanistan. In this House, in 1877, the right hon. Gentleman the Chancellor of the Exchequer rose in his place, and stated his own opinions and those of the Government in a most explicit manner on this subject. He laid down two lines of policy—one of prudence, keeping within our own Frontier, developing our own resources, and keeping down our own Expenditure; and the other, a dangerous policy, crossing the Frontier and getting all our affairs into a difficult and dangerous position. He said in this House that he was in favour of the prudent policy; and in the other House I feel certain similar assurances were given. What, however, was the effect? At the very moment the right hon. Gentleman was stating his views conscientiously in this House there was one representative of this power behind the Government in India—Lord Lytton—who was carrying on a great scheme of policy, advancing on the forward line. One quarrel after another was picked, until at length the time of action arrived, and then we heard of a pretended insult from the Ameer—we heard something of Russian intrigue—and then we had an Ultimatum, setting forth in the clearest terms all the charges that could possibly be brought against the Ruler of Afghanistan. At length, however, the real motive eked out—the enigma of the Sphinx was solved—for at a Mansion House dinner the Premier, putting aside altogether as unworthy of notice all these pretended reasons for this Indian policy, announced the true reason of the Government—a scientific rectification of the Frontier; in other words, an absolutely unjust and criminal invasion of another's territory, in order to obtain property which does not belong to us. I will give you another instance. We have heard that Her Majesty's Government have not the slightest intention of annexing any country, or of interfering in any way in the rights of surrounding tribes; but what has been done in South Africa? Sir Bartle Frere was not sent out there without instructions, and when he got into the country he very soon began to show his hand when he set to work upon the planned lines of Imperial policy; and you have it announced, in his earlier despatches, that he believed it was necessary that the Queen's Dominions should be largely extended in South Africa. He also told the Government, in despatches of wonderful eloquence and ingenious pleading, that so long as Cetewayo's power existed, there would be no peace or protection to the British Colony. What then happened? It was alleged, as in the case of the Ameer of Afghanistan, that Cetewayo had insulted us; that he was a menace to British interests; and we sent a long Ultimatum to him, and commenced hostilities against him. The Secretary of State for the Colonies evidently had no intention of adopting this course of policy. I doubt whether he had any idea of it; and he began by feeble remonstrances in his despatches to check this arrogant pro-Consul; but the pro-Consul gave his official superior a snub. Sir Bartle Frere treated the right hon. Gentleman with the cool assumption of a man conscious of superior information and judgment, and prosecuting lofty plans, when questioned or criticized by ignorant incapacity. The misfortune is that every measure of this Imperial policy leads to further complications, further wars, and further expenditure of blood and treasure. The Government are on an inclined plane; they cannot take one of these steps without going still further downwards. *Facilis descensus Averni.* Well, now, Sir, I should like to ask how is it possible, under these circumstances, for the Chancellor of the Exchequer to form any correct idea of the Expenditure of the coming year, or to lay on the Table any reliable Estimate? I wish we could have a large map hung up of three-quarters of the globe; and if we could mark with a dark spot every place in which British Armies are engaged, and if we could mark that wider range where the consequences of the policy of the Government have planted seeds of future difficulties and disturbances, we should find that the dark shadow of fatal British Imperial policy covers hundreds of thousands of square miles of country inhabited by many millions of people. The fact is, Sir, that if we look round on the position of the relations of this country, we find that nothing is settled anywhere. I am afraid to quote the words used in reference to the Berlin Treaty—their repetition, "Peace with honour," has made them a little nauseating; but with regard to the Berlin Treaty itself, I suppose there is nobody who really supposes it to be a settlement of the question. Does anybody think that by means of this Treaty we can hand back 27,510 square miles of country and 1,500,000 of its inhabitants in Bulgaria to what has been called "the uncovenanted mercies" of the Turk? Can we keep these Bulgarians severed in this unnatural way from the fellow-men of their nation? It is utterly impossible to think such an arrangement can be made permanent. Then there is Greece. I shall not travel over that subject, which was discussed here the other night with so much ability; but we cannot but believe that there the elements are left which will lead to serious results. Then we have the annexation of the Transvaal, of which, at the close of the Session of 1877, it was said, in the Queen's Speech, that the Proclamation of Her Majesty's Sovereignty "had been received throughout the Province with enthusiasm." Yet there we find the elements of difficulty and disaffection. Then there is the Zulu War; and whatever may be its results, there must be enormous expenditure; and assuredly there are most painful emotions throughout the country in watching the occurrences of the war by the belief that the war is both unjust and unnecessary. Then, just before we separated for Easter there was anxiety that we should have no advance upon Cabul. The Chancellor of the Exchequer tried to satisfy us, and Lord Lytton telegraphed that there would be no advance upon Cabul without a reference to home. But he used some rather ominous words. He said, in order to give the negotiations a reasonable chance of success, the troops must be ready for all contingencies. Well, my impression is that the next thing we shall hear is that there has been an advance on Cabul. History repeats itself, and one of the blackest pages in English history is in danger of being repeated. ["No, no!"] If hon. Gentlemen doubt, let them read Sir Archibald Alison's account of the retreat from Cabul 40 years ago, and they must admit it is, indeed, a black page in our history. Then we turn to Burmah. ["Question!"] This is closely associated with the question. The Chancellor of the Exchequer, in one of his soothing—I might almost say soporific—assurances, led us to believe that it was the intention of the Government that no action should be taken in Burmah; but these assurances amount to nothing, unless we know that the annexation of Burmah forms no part of the Imperial policy of which we are now witnessing the gradual evolution. If it is the intention that Burmah shall be annexed, then we shall have the Afghan story repeated—there will be insults offered to our Resident, and a violation of our Frontier, a Frontier also which, I believe, is very unscientific. I see by *The Times* of Monday that it is asserted that King Theebau is determined not to hear or speak of proposals from the Indian Government; and, to make the story complete, the correspondent of *The Times* says that two Russian officers are expected at Mandalay. If all this leads to the necessity, on the part of Lord Lytton, of taking possession of the Throne of His Golden-footed Majesty the King of the White Elephants, then the annexation will take place. If that event is brought about, considering the character of the territories which the Government are annexing to the British Dominions, the Queen should have an addition to Her title of Empress of India of that of the Queen of all the White Elephants. The catalogue of difficulties is not yet complete; but time will fail me if I attempt to mention them all. You have Cyprus, which Lord Beaconsfield says is not to be a burden to the country. Does anybody believe that? Everyone knows there will certainly be a large expenditure this year on that account added to the Estimates Parliament will have to provide. Is the protection of Asia Minor a sham or a reality? If a sham, let us know it; if a reality, then we may at any moment be called upon for an expenditure to maintain engagements of an utterly impossible character. In Egypt the meddling and muddling has been going on for years; and we cannot tell that at any moment we may not be called upon for expenditure there from the British Treasury. Looking round at all these facts and circumstances, foreigners must regard us with amazement as suffering from a national craze, combined of a nightmare hatred of Russia and an insane lust of dominion. How are we to put a stop to this? We cannot refuse to vote Supplies. I believe there are a great many people in the country who are strongly of opinion that we ought not to pay the cost of the Army and Navy to be used to deprive the inhabitants of a country of their possessions; but if we send forth our Army on an expedition—inglorious and unjust though it may be—we must provide the necessary Supplies. We cannot refuse the Supplies, however much we deplore that the lives of our gallant soldiers should be exposed in such a war. But, at all events, we can do this—we can mark with our reprobation the policy which leads to the necessity of voting these Supplies; and this we can do by joining in the Resolution I have the honour to propose, condemning a Government who are sacrificing the best interests of the country—who are imposing intolerable burdens of taxation on the people—and who are disturbing the peace of the world by a policy of aggression and menace. I beg, Sir, to move the first of the Resolutions which I have placed on the Paper—namely—"That this House views with regret the great increase in the National Expenditure."

Mr. BAXTER: The hon. Member for Burnley has asked me to second his Resolution, and I do so with the greatest pleasure, although I do not believe it will be carried. [*Ironical cheers.*] Hon. Gentlemen laugh at this; but it is not the first Resolution calling for a reduction of Expenditure which I have seconded and seen rejected with scorn, but which the next succeeding Parliament has carried into effect. The Resolution which we now have before us is a mere amplification of the old Liberal motto—"Peace, retrenchment, and reform;" and I cannot believe that anyone advocating that policy will be found in the Lobby against us. I will not follow the lively line of argument taken by my hon. Friend; and I am not going to say much on that foreign policy, with an account of which he has amused and interested the House. Nor am I about to make any comparison between the financial practices and management of the present Government and the Government preceding. I leave this to other hon. Gentlemen more competent and willing to engage in it. My desire now is to call the serious attention of the House to the condition of the country with relation to the proposals of the Budget; because I am, and have been for years, impressed with the fact that the Chancellor of the Exchequer, in common with many other Gentlemen—some of them, I am afraid, on this side of the House—has taken far too sanguine a view of our position and prospects. I am not in the habit of making Party speeches on financial matters, or of intruding myself on the attention of the House on frequent occasions; but two years ago I ventured to say to the Chancellor of the Exchequer that he was taking far too favourable a view of the condition of the country, and that, if not in the financial year 1877-8, certainly, in the year 1878-9, he would be landed in a deficit. I admit, once for all, it is not very desirable on ordinary occasions to criticize the Estimates on which those able and well-informed Gentlemen whom the Chancellor of the Exchequer consults on the yield of the Revenue form their calculations; but there are occasions forming an exception to this rule, and I now rise to repeat with more emphasis the warning I addressed to the House in 1877. Gentlemen who have studied the connection between commercial distress and the Revenue know that trade, commerce, and agriculture may be very bad for a long time—for a year, or even two years—before the effect on the wage-earning classes is such as seriously to diminish the receipts of the Exchequer. That is a fact very commonly overlooked. It is towards the conclusion of a period of commercial distress that the diminution of the receipts takes place; and it is a remarkable fact that the falling-off is really continued even after the trade has begun to be better. Therefore it was that, two years ago, I told the Chancellor of the Exchequer we were just at the beginning of bad times, and things would be very much worse, indeed, before they got better. Two years ago, there was a remarkable falling off in the spring purchases in London, and the state of our foreign trade was very alarming all over the world. But if foreign trade was bad in 1877, it is a great deal worse now. With the exception of the United States, where all classes—the Government included—have manfully and persistently reduced expenditure, there is no bright spot. With the experience of a merchant, and knowing something of the subject, I never knew the look-out abroad so gloomy. Distress and perplexity prevail all over Europe. One of the largest markets for British manufactures is South America; but the rate of exchange shows the financial condition there to be most alarming. Trade with the East—with India, China, and Japan—has been bad last year and the year before; but if bad then, what adjective can be applied to it now? Losses have been enormous. Houses have failed; and I hear from one gentleman in the trade that many commercial houses have altogether disappeared from view—as my informant described it, "crumpled up." I am satisfied no man knows the extent of the losses suffered by the Eastern banks. Looking at these circumstances, and at the dismal state of commerce and agriculture at home, I cannot agree with the Chancellor of the Exchequer, when he says his Estimates for the Revenue are not too sanguine. Do not let us forget, when Gentlemen talk of accepting the figures given, that Customs for last year were over-estimated by £184,000, and Excise by £200,000. Before I go further, I wish to make a few remarks on two collateral subjects. The Chancellor of the Exchequer, on a recent occasion, drew a distinction between our floating and our unfunded Debt; but after the most careful consideration, I really cannot see any real and valid distinction. The fact referred to by the Chancellor of the Exchequer, that the bonds are held by the National Debt Commissioners, no doubt mitigates the evil; but if the trade gets seriously worse, and if its effect is felt in the Post Office Savings Banks, the Chancellor of the Exchequer will derive small consolation from the distinction. For my own part, I cannot regard the state of the unfunded Debt without feelings of something like dismay. The other subject I will refer to in a word or two, which may be unpopular, but I care not for that. It is the extraordinary, and, to my mind, most injurious, practice which has been going on for years past of transferring the local expenditure to the National Exchequer. This is a practice which I am bound to say will make a miserable man of some future Chancellor of the Exchequer. I have never had the slightest sympathy with the movement, sanctioned by a majority of 100 in the last so-called economic Parliament. The best that can be said for it is that it is transferring money from one pocket to the other; but a more truthful description of the process would be, seeking the advantage of the county at the expense of the town, and tempting localities to ask the Government to do for them what they can as efficiently, and less expensively, do for themselves. I do not believe that in the future we shall be able to carry on this process. For my own part, I say at once I cannot see why so large a proportion of such expenditure as that for the education of the country should be placed among the Civil Service Estimates. In the United States the cost of education is paid by the localities, and no tax is paid more cheerfully, and the educational system there is as efficient as it is popular. I believe that that Chancellor of the Exchequer will deserve well of his country who reverses the present policy altogether. My right hon. Friend near me (Mr. Lyon Playfair) reminds me we are quite singular in our system, most countries having followed the example of the United States. Coming back to the main point, I will read a few statistics, which conclusively bear out the statement I have made as to my opinion of the state of the country. We had delivered the other day a comparative statement of pauperism for England and Wales for the month of January for 1878 and 1879, which shows an increase in the latter years, exclusive of lunatics and vagrants, of 86,809 paupers, or 12⅓ per cent. The last Return which I have seen from the Clearing House shows a decrease for three months of 10 per cent, and the Stock Exchange transactions up to the 4th of this month had fallen off 5½ per cent. Then, take the traffic receipts of the Railway Companies. For the 14 weeks ending 6th April the receipts of 13 of the chief English railways were £301,715 less than the corresponding period of last year; while the three principal Scotch railways and the Great Western showed for 10 weeks a decrease of £122,717. It is not my nature to take alarming or pessimist views of affairs; but I cannot help observing that there are many in this House, and out of it, eminent politicians, who simply close their eyes to the fact—for fact it is—that the immense advance of other nations in education and industrial science has, to a large extent, deprived us, and is depriving us more and more every day, of our monopoly of the markets of the world. Not that there is any occasion for despondency; but I do say there is the greatest occasion for less magniloquent language about the manufacturing and mercantile supremacy of this country. There are some who ignore and pooh-pooh the competition of the United States; but I do not adopt that line. I have travelled in that country, and I have mixed much with Americans in all parts of the world. Their education is superior, and their inventive genius is remarkable and unprecedented. I am very much mistaken if our industries will not have a hard battle to fight with those of the United States. Another mistake among many people is that if the Americans adopted Free Trade principles—of which there is small hope—their competition would immediately cease. I believe that is far from being the case. Will the House allow me to read a single extract from a book published by the hon. Member for Glamorganshire (Mr. Hussey Vivian), who has lately returned from the United States? The hon. Gentleman says—

> "I am not prepared to say that England is likely to be greatly benefited by Free Trade with America. I believe that she can produce every article as cheaply, or cheaper, than we can, if she will only cease to interfere with Nature's laws, and allow the general value of her products to find their natural level. Wages must fall, but the cost of living must fall also. America will then be able to compete with us in foreign markets, and a most formidable competitor she will be. That we shall even here-

> after be able to compete with American manufacturers in their own home markets I greatly doubt."

Some Gentlemen seem to think that because we have enjoyed in this country a remarkable period of commercial prosperity for 30 years, we are not likely to have any great change; but there are certain facts I would commend to these Gentlemen. We are living, to a certain extent, on our capital rather than our interest. This, and the especially small income derived from the soil, are most important factors in this subject. There is a work lately published by Longmans that refers at length to this point. It is entitled *Conditions of Social Well-being*, by Mr. D. Cunningham. During these years of our greatest prosperity, all classes in this country—I am sure the Home Secretary will agree with me—have been guilty of extravagance, and I think the Government has followed the example of the community. It appears to me the time has come when we ought to cut down Expenditure with an unsparing hand; and not only so, but, looking to the future, to consider the propriety of revising the whole system of our taxation. No one feels more than I do the vast benefits conferred on this country for the last 40 years by the fiscal changes inaugurating Free Trade; but do not let us forget we are only partially Free Traders after all. We have heavy Customs duties on wines, especially those imported from Spain and Portugal; and we, who boast of Free Trade, have an expensive system of Custom Houses—the statistics of many of which, considering the money received as duty, the expenses are simply ludicrous. Will any statesman arise, who will make a bold effort to do something in the way of amalgamating and reducing our Revenue Departments, with a view to cut down their expense—who will also revise our whole system of taxation, so as to render it a little more just and equitable? There are political economists who maintain that the taxation of realized property, and a graduated House Tax, would give sufficient to allow of the abolition of Customs and Excise. Hon. Gentlemen may think this is extreme; but I will read them a remarkable sentence from Richard Cobden, as sagacious and far-seeing a statesman as any of this generation. He says—

> "The man, or body of men, who succeeds in abolishing, in this or any other country, the Customs and Excise duties, will be its greatest benefactor."

Without going so far as that, hon. Gentlemen must admit the inequality of the taxes in the favour shown to land against real property, and to the rich against the poor, in the Probate and Succession Duties. Well, now I come to the last point of my argument. If Expenditure is to be greatly reduced, I repeat what I have often said before—that it is to the Naval and Military Expenditure that the people, when their calmer moments come—and they are coming—will look for the reduction of Expenditure. The Government have not done much in that line, but very much the reverse. But I think there is an excuse for them. They have only too faithfully reflected the wild, boastful, and unreasoning military spirit which has taken possession of the country for the last few years. I recollect, when the Franco-German War broke out, a Scotch Militia regiment volunteered for active service in the event of Great Britain being involved in the war. That we should be involved in the war they did not doubt; and when they volunteered for foreign service they added at the end of their Memorial—which, I believe, was signed by every man in the regiment—that they did not much care on which side they fought. I will read only one other extract. It is from a remarkable speech, delivered by the Earl of Derby at Rochdale, on the 2nd of January last. It is pregnant with meaning; and however much hon. Gentlemen may disregard it now, these words will afterwards be remembered as being as far-seeing as the words which the noble Lord used at King's Lynn with respect to the rising nationalities and the downfall of Turkey. The noble Lord said—

> "Till we can have some evidence that peace will be kept in Europe, it is idle to expect that trade will revive. As a fact, whatever the cause may be, confidence does not exist. We all profess to wish for peace—and I hope most of us do so sincerely—but do not let us forget that in a country like this there are interests which tend steadily and constantly in an opposite direction. I am not referring to politics or to Parties, but to social tendencies, which will operate equally whatever Ministry or Party is in power. In the first place, we have a more numerous and a more highly trained military class than we ever had before. There is a keener professional feeling among English officers than in the days

when military teaching was less attended to. There is a natural, and a not discreditable, desire among them to test the value of what they have been learning, and to acquire the professional distinction which can only come with actual service. They are much more a writing class than they were. They have learned to work the Press instead of treating it with contempt; and when you recollect that there is in what are called the upper classes scarcely a family that has not some connection with the Army, you must recognize a social influence which tells powerfully when questions of war or peace are in the balance. Then you have a large number of persons in the business classes to whom war is a profitable speculation. A campaign involves an enormous outlay, and of that outlay a good deal remains in the hands of those who supply the special articles required in war. Ships are wanted for transport, guns, rifles, armour plates, stores of every description, and horses; and that vast demand, however dearly it has to be paid for by the community as a whole, gives a temporary stimulus to industry, and makes a good many private fortunes. I can only touch on this in passing, though it is a subject well worth looking into in detail. But there is more behind. You have always a certain number of interests—not, of course, always the same—which may be described as threatened interests. Those who represent them are expecting Parliamentary interference of some kind, and look forward to it with about as much pleasure as a patient in the surgeon's hands looks forward to an operation without chloroform. They will do anything to gain time; and to persons so situated, no event is more welcome than a state of things which, if only for a year or two, concentrates all attention on foreign affairs, and puts what is passing at home out of people's heads. I speak purposely in vague terms to avoid offence; but you will understand me, and you will perceive that it is a mere delusion to say—as people are constantly saying—that everybody is against war if it can be honourably avoided. On the contrary, there are a good many persons who think either that they will make a very good thing out of war, or that it will serve to keep off something that they dislike even more; and in either case we must not be surprised if they act according to their convictions. It is no use being angry with them. They do only after their kind; but let us see clearly where the danger lies, and not deny its existence."

I met with a very remarkable instance of this military spirit last year. I met a friend in the street, who said—"You are surely not going to Algeria, when we are about to be involved in a war with Russia." I said that I did not think we were likely to be involved in war. He replied with a familiar expletive—"Surely we must fight someone. I have two sons in the Army." It is precisely here that the shoe pinches; and I admit at once that all these proposals to reduce Expenditure and to revise taxation are outside the domain of practical politics as long as this policy of interference, jealousy, aggrandizement, and annexation prevails. When you think of what is going on in different parts of the world—in Zululand, in Afghanistan, and possibly in Burmah—I sometimes think that the joke of the hon. Member for Carlisle (Sir Wilfrid Lawson) is about to prove a reality, and that the policy of the Government will be found to be to make war in all parts of the world against the strongholds of Satan. Reference has been made by the hon. Member for Burnley to the policy of Lord Palmerston. I sat for many years behind that noble Lord; but I never was much in favour of his foreign policy. I never felt so much perplexity and difficulty in my life as in 1857, when Parliament was dissolved, for I could not deny the force of a criticism from very high quarters on the policy of Lord Palmerston. It was a passage from the address of Mr. Disraeli to the electors of Buckinghamshire. The right hon. Gentleman said—

> "With no domestic policy, he is obliged to divert the attention of the people from the consideration of their own affairs to the distraction of foreign politics. His external system is turbulent and aggressive, that his rule at home may be tranquil and unassailed. Hence arise excessive expenditure, heavy taxation, and the stoppage of all social improvement."

That, I think, was an exaggerated account of the policy of Lord Palmerston; but I think it is an exact account of the policy of the Earl of Beaconsfield. There is only one other source of unnecessary and unjustifiable expenditure to which I wish to call attention. Years ago, I was one of those who urged on successive Governments the necessity of withdrawing the troops from the Colonies which had representative Governments and refused to take adequate means for their own defence; for I believe that it is unjust to make the British taxpayer pay for wars and expeditions with which he has nothing to do, or to defend prosperous settlers who will not lift a finger to defend themselves. I think we all regret that a much firmer attitude was not assumed in South Africa many years ago. When it was proposed to withdraw the troops from the Dominion, it was said that in that case Canada would become disloyal. But the only effect of the measure has been to make the people of the

Dominion more self-reliant in their own defence. With the withdrawal of our troops from New Zealand, the Maori difficulty disappeared. We shall never get rid of Kaffir Wars until we adopt the same policy in South Africa. I was reading the other day the work of Sir Arthur Cunynghame, lately in command in South Africa, and I was much struck with the prominence he gave to the utter want of organization and preparation which existed at the Cape of Good Hope. He actually quotes a speech of the Colonial Minister, in which he said that he would rather have a Kaffir War every 10 years than increase the Military Force on the Frontier by one man. No doubt, large fortunes have been amassed, both in South Africa and elsewhere, by these wars; and as long as the British taxpayer pays the whole bill, you will have men in the Colonies who will get up wars. Now is our time to put down our foot firmly; and unless we do so, we shall have a succession of fresh wars as our Frontiers extend. I say, with the utmost sincerity, that I believe we have a very dismal and gloomy prospect before us. India is on the verge of bankruptcy. We have wars in every part of the world. We have a falling Revenue, and we are afraid to impose taxes to pay our way. We are taking into consideration wild, Egyptian-like schemes for the redemption of taxes; and the situation being one of great danger, I think it is high time for the constituencies to inaugurate a juster, wiser, more economic, and more dignified policy.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House views with regret the great increase in the National Expenditure,"—(*Mr. Rylands*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. H. SMITH said, that the right hon. Gentleman who had just sat down indulged in anticipations of sorrow and gloom, which, for the sake of the country and the world, he (Mr. W. H. Smith) hoped would not be realized. Whatever satisfaction political opponents might have in contemplating trouble and misfortune overwhelming their antagonists, he was perfectly certain that the right hon. Gentleman would regard the fulfilment of his anticipations with great regret and concern. The right hon. Gentleman had favoured them with his views on finance, and had been understood to say that it would be expedient that the Customs and Excise should disappear altogether, and that there should be an entire re-construction of the basis of taxation.

Mr. BAXTER: I did not say that. I said that that was the view of Mr. Cobden and others of high authority.

Mr. W. H. SMITH had understood the right hon. Gentleman to express a favourable opinion of those views. It appeared to him a startling proposal that the country should part with a Revenue of upwards of £47,000,000, raised in a great degree by voluntary taxation, and substitute a system which had not yet been tried, and which it was certain would fall heavily on the capital and resources of the country. The right hon. Gentleman stated, also, that he looked favourably upon the suggestion of Mr. Cobden, because he sought to accomplish at the same time a large reduction in the Military charges of the country. Well, there was no one in the world—certainly no one in that House—who desired peace, retrenchment, and reform more heartily than the Members of the present Government. [*Ironical cheers.*] It could not be supposed that the Government were unconscious of the great responsibilities that rested upon them, nor was it to be supposed that they did not care for the interests and prosperity of their country. There were, he maintained, no men in this country—certainly not in the House of Commons—who cared more for peace, retrenchment, and reform than the Members of the present Government. Reference had been made by the hon. Member for Burnley, in terms which made it somewhat difficult to distinguish whether he was speaking jocularly or in earnest, to the policy of Her Majesty's Government, as it had been considered and dealt with and approved in the House of Commons during the last two or three years. He would not waste the time of the House by going over each separate transaction, each separate vote of the House, which had distinctly and by large majorities—majorities greatly exceeding those which might properly belong to the Conservative

Party who sat here, but a majority which represented not only the feelings of the Party who supported Her Majesty's Government, but also Members on the other side of the House who thought themselves bound for the time to put Party feelings aside in order to maintain that which they considered necessary for the honour and credit of the country. He would only say that every step which the Government had taken, every step which had involved expense, every step through long-continued and anxious negotiations, had been taken with the firm object and the sole desire of securing an honourable peace for Europe and of maintaining the interests of this country, in no spirit of brag, in no spirit of boasting, but with a deep sense of the responsibility which rested upon the shoulders of the Ministers of this country. The right hon. Gentleman who had preceded him had spoken of the distress existing in the country during the last year, and had dwelt on the falling trade and falling Revenue. Well, he admitted that there had been distress, and that there was at the present time bad trade; but these deplorable circumstances were due to the extravagance indulged in for many past years. That extravagance had arisen very largely during the inflated condition of trade which preceded the formation of the present Parliament, and which existed, not in England only, but in other parts of the world. He failed to see how Her Majesty's Government could be held responsible for the present condition of trade. Banks had failed, and merchants had sustained losses; but was the Government responsible for this state of things, trade having been carried on by persons over whom they had no control, and whom they had certainly not encouraged in the reckless transactions in which they had embarked? It was the history of the world, that when there had been great profits and great excitement, when the belief had existed that by doubling their capital in trade men could double their profits—that had gone on till the moment came when it could go on no longer, and then it had come to a stop. The history of the years previous to 1875 was one of inflation and excitement, and had been succeeded, as all inflation and excitement must be, by loss, misfortune, and trouble. The cost of production during the years prior to 1874 and the profits had so largely increased that competition was stimulated, the consequence being that they were now losing great profits which but for the prosperity of those years they would be realizing. Now, what was this Resolution moved by the hon. Member (Mr. Rylands)? It said—"That this House views with regret the great increase in the National Expenditure." Now, in order to know what the increase in the National Expenditure was, the hon. Gentleman took two years together, and put a portion of the Expenditure of the year 1878 into that of 1879, and said—"See what an enormous amount you have been spending!" Then, in order to show how enormously costly the government of Great Britain was at the present time, the hon. Member compared the Expenditure now with what it was 60 years ago, thereby comparing two periods which were under totally different conditions. He (Mr. W. H. Smith) would endeavour to explain to the House what the real state of the accounts was. He apologized for troubling the House with statistics; but the allegations made against the Government must be met with distinct statements and clear explanations. He would take the Estimates for the year 1879-80 and those for 1874-5—at the time when the present Government came into Office. He thought it must be admitted that they were the basis of a fair comparison. Right hon. Gentlemen opposite left those Estimates which were adopted by their successors with scarcely the most minute change. The Estimates for 1874-5 showed a gross charge of £72,502,930; but upon the principle worked out by the right hon. Member for Pontefract (Mr. Childers), if they deducted the non-taxation charges, the net charge on the taxes would have been £60,807,930. The Estimates for the coming year amounted to £81,153,573, or, abating the non-taxation receipts, double entries, &c.—things which marvellously increased the apparent Expenditure—the net charge on taxes for this year was £67,285,573. These figures showed a gross increase of £8,653,633 as between 1874-5 and 1879-80, and a net increase of £6,477,643; and, considered in either point of view, such an increase was a very serious one. Indeed, he was prepared to go a great deal further, and to say that no Estimates were justifiable which were capable of reduction; that any economy which was possible either in 1874-5, or in more recent years, ought to have been effected; and that economy neither was, nor ought at any time to be, a virtue in the sole possession of any particular Party or Government. There was a gross increase, as he had said, of over £8,650,000; but what did it consist of? It consisted, in the first instauce, of a provision for the Debt nominally of £2,160,000; but of that there was £780,000 which appeared on both sides of the account, and the net increase charge for it was, therefore, £1,452,000. It would only be necessary, therefore, to deal with the net increase of £1,452,000. This was to be accounted for by the new Sinking Fund of £601,636, the conversion of £7,000,000 stock, in 1874, into an annuity of £651,681, involving a temporary increase of charge of £441,681, and by the new Terminable Annuities created for Fortifications and Local Barracks under obligations imposed by the late Government. It would thus be seen that more than £1,000,000 of the net increase was due to new measures set on foot by this Government for diminishing the capital of the Debt. This, however, was very far from showing the true increase in the proportion of the total charge that was applicable to the redemption of Debt. An analysis of the Terminable Annuities actually paid in 1873-4, the last year of the late Government—such being the nearest approach to a comparison with the original Estimates for 1874-5 that could conveniently be made—proved that the proportion then applicable to redemption was £3,133,673. Applying the same process to the Estimates for Terminable Annuities for 1879-80, the proportion was found to be £4,592,091, or £1,458,418 more. If this increase were added to the new Sinking Fund of £601,636, a total increased provision for redemption was arrived at of £2,060,054, a sum curiously nearly corresponding to the gross increase of charge for the Public Debt. Having thus explained a fourth of the gross and a third of the net increase, he would next refer to the Army. The gross Estimate for the Army in 1874-5 was £15,242,780, and for 1879-80 £16,745,000, or an increase of £1,502,920 on the last-named period. But then there were some double payments to be taken into account—that was, payments which went to swell the charges in the first instance, but which were afterwards repaid to us, and those amounted to £195,000, so that the actual net increase over the year 1874-5 was £1,307,920. He dared say the House would like to know how this increase arose. They had gone carefully into the question, with the assistance of his right hon. and gallant Friend the Secretary of State for War, and found that £417,000 was due to increased pensions paid to soldiers who had served many years ago, and who must be paid, whatever the Government might be which might happen to be in power. It was no act of the present Government, who had nothing to do with it. There was also a charge under the head of the Army for increased pay; and if there was anything in the House which had in time past distressed him more than another when he was Secretary to the Treasury, it was the manner in which hon. Gentlemen on both sides of the House had pressed increases of pay on the Government. He had a lively recollection of the manner in which every Friday evening he was pressed by hon. Gentlemen opposite, entreating the Government to take into considera- some very meritorious person or class, or something that ought to be done for the benefit of the community at large; and he remembered that during the discussions which took place in that House there were hon. Gentlemen opposite who strongly urged the claims of certain ranks in the Army to increased pay. The net increase in the cost of the Army, then, was £1,323,920, of which £417,000 was due to the pensions to which he had already referred, and £230,000, or thereabouts, was due to an increase in the Forces, and another large proportion to the necessity which had arisen for giving higher and deferred pay—not only to the privates, but to non-commissioned officers. The cost of warlike stores had also largely increased; the majority of hon. Members little knew of the increased cost in this direction that had been rendered necessary in late years by the progress of invention and the consequent necessity of employing skilled designers and artificers to carry on the production of the stores that it was absolutely necessary to provide. The materials of war in the present day were not only most costly, but they were most destructive; and if they were in the possession of one country, they must be procured by all who aspired to high rank in the comity of nations. As far as he was personally concerned, he was unable to foresee the time at which they could cease from augmenting year by year the expenditure on this branch of the country's Service. The gross total of the Estimates for the Navy in 1874-5 was £10,179,485, and this year it had gone up to £10,586,894, or an increase of over £407,000, with regard to which there was pretty much the same story to tell that was told concerning the Army. Of this increased sum, £105,938 came under the head of wages; and every hon. Member must know that they were obliged to employ a higher class of artificers, engineers, and skilled labour to deal with the torpedoes, and the infinite number of engines which were now placed in vessels of war. A man-of-war now, instead of being a mere case for guns and men, was a vast network of machinery, containing sometimes from 25 to 30 separate steam engines, and it required a vast amount of ability, and a costly class of servants, to take proper care of those valuable instruments, so that the Naval Service had become a very costly one indeed. Then he came to another item —military pensions—in which there had been an increase of £146,000; but, as right hon. and hon. Gentlemen opposite knew, this was due to an automatic rule consequent upon the long service system, and upon the absolute necessity there was for keeping faith with the men concerned, and that he had just as much to do with it as the right hon. Gentleman who preceded him in the Office which he held. Now, he had got through half of the gross increase. He had told the House that upwards of £2,000,000 was applied in payment of the National Debt in excess of the sum paid in 1874-5; that £1,500,000 gross, or £1,300,000, was the additional cost of the Army; and that £400,000 was the additional cost of the Navy. Now he came to the Civil Service. The right hon. Member for Montrose, and he thought, also, the hon. Member for Burnley, drew attention to the grant made from Imperial funds in aid of local expenditure; and on that subject he could only say that any hon. Gentleman who proposed to disallow such grants would find himself in a very considerable minority in that House. The last House of Commons expressed its opinion, when the late Government was strong, that a concession ought to be made out of the Imperial purse towards local expenditure, and effect had been given to that opinion. The increase in the Estimates under the Civil Service head of Expenditure in 1879-80, as compared with 1874-5, was about £2,000,000; but there were several matters to be urged in explanation of this. There was an increase in the rates on Government property—that was to say, property held by Government now contributed towards the local charges. That principle had long been admitted, but never carried out to its legitimate application until lately. For the grants in relief of local taxation they contributed now £4,966,000; whereas formerly they contributed £2,946,000. It was a question how far that principle should be carried; and the Government thought it was right that they should contribute to the cost of the police and pauper lunatics in a larger degree than had been done by their Predecessors. They had also dealt with the prisons as an Imperial and not a local responsibility. The country had gained by the change, for the uniformity of the new prison administration was calculated to contribute largely to the advantage of the State. He had shown the House how £6,000,000 out of the £8,000,000 had gone; and as regarded this last £2,000,000 that he had mentioned, it was not an increased charge on the taxpayers. It was simply a transfer from one class of taxes to another class of taxes. He knew that hon. Gentlemen opposite said sometimes that the counties had profited at the expense of the towns; but his impression was, that it was very much the other way. In many towns the burden of rates for local purposes was heavier than in many counties; so that he had no doubt that the towns had gained at the expense of the counties, rather than the counties at the expense of the towns. He now came to another item to which reference was made with, he thought, some amount of justice. The right hon. Gentleman referred to the large charge for education. The increased charge for education was very considerable indeed, and he was far from saying that might not be a subject which might require to be considered. The increased charge for education was £1,500,000 over that which existed in 1874-5. The charge now amounted to £3,600,000, as against £2,100,000 in that year. He did not, however, regret the experimen which had been made with regard to education. A great deal had been spent and a great deal had been done; but he was sure the opinion which had been expressed by many that the cost of education had increased unnecessarily—that there had been a large expenditure which possibly might have been less—required careful consideration. They must consider whether this large charge on the Imperial Exchequer was to go on. The item to which he would next refer related to the Revenue Department. The gross increased charge for Revenue Services was £602,000; but there was a net decrease of charge on taxes of £271,555 in 1879-80, as compared with 1874-5. It was fair, however, to say that the Post Office ought to have the credit of the decrease of the net charge under this head. It was entirely due to the large increase in the Post Office revenue and the diminished cost of the Packet Service. There had been an increase in the salaries of the Excise and Customs offices, an item which was pressed on the Government from both sides of the House, and by none more urgently than hon. Gentlemen opposite. The net increase of charge on the taxpayers in 1879-80 was £6,477,000 more than it was in 1874-5; but, as he had said, of that more than £2,000,000 went in increased provision for the payment of the National Debt. Was it the desire of the hon. Member for Burnley to object to that? The increased provision for the payment of the National Debt by the operation of Terminable Annuities and by the operation of the Sinking Fund exceeded £2,000,000 over that which existed in 1874-5. Did the right hon. Gentleman the Member for Montrose object to the contribution in aid of local rates—that was, for a sum taken out of one pocket in order to put it into the other? Did the right hon. Gentleman object to the relief of local burdens? He heard no response; but he thought he knew what response the House would make if the proposition was put to it. He thought he had now disposed of the net increase, and, after all, what was the complaint which the hon. Member made, and was followed up by the right hon. Gentleman the Member for Montrose? It was that the cost of the Army was £1,307,000, and that the cost of the Navy was £441,000, more than it was in 1874-5. That was really and substantially all that Her Majesty's Government could be made responsible for, so far as the net increase of the payments of the country were concerned. [Mr. MUNDELLA: Ordinary Expenditure.] He would come to the provisions made for extraordinary Expenditure. The right hon. Member for Pontefract (Mr. Childers) asked whether the figures were right about Terminable Annuities? The provision for the redemption of the Debt in 1874-5—that was to say, the actual money provided towards the re-payment of the Debt—was £3,133,673. In 1879-80 the amount paid off was £4,592,091, the increase of the amount so applicable to the reduction of the Debt being £1,458,418. To this £4,500,000 had to be added £602,000 new Sinking Fund, making a total of £5,194,091 in 1879-80, as against £3,133,673 in 1873-4, or a total increase in the provision for the reduction of the Debt over the latter year of £2,060,428. Reference had been made by the hon. Member to the alarming state of the finances—that the Government was accumulating Debt and adding especially to the floating Debt. Now, the Bonds outstanding at the present moment with respect to the preparations during the war in Europe, the Vote of Credit, and the Zulu War amounted to £5,350,000, or only £150,000 more than the provision made for the actual payment of the Debt in the present year. Could it, then, be said that the finances were in such a deplorable condition, when the Government actually made provision for the re-payment of Debt which amounted practically to the sum of the responsibility incurred in circumstances of great emergency and difficulty? He thought that instead of showing that the finances were in confusion, that fact was evidence of their strength, and of forethought and care on the part of his right hon. Friend the Chancellor of the Exchequer; and it would be certainly one of the most unjustifiable courses that could be taken by a man responsible, as he was for the finances of the country, if, under circumstances like the present, when there was great distress in trade and almost a paralysis, as described by the right hon. Member for Montrose, he had proposed, especially after so large a provision for the payment of the Debt, to impose fresh taxation to meet the requirements of the year. He had heard something, not in that House, but out of it, as to the gross impropriety of postponing the payment of liabilities which were incurred under circumstances like the present. If there was an excuse for the postponement of the payment of liabilities, it was when the country was in circumstances of difficulty, when it had to face what possibly might be a great exertion, and when the period was admittedly not a favourable one for the imposition of taxation. But he could not help referring with some interest to a system in operation under which liabilities had been postponed by high authorities. The right hon. Gentleman (Mr. Baxter) referred in terms which were not very complimentary to Lord Palmerston. He (Mr. W. H. Smith) did not think that the country was prepared to adopt the right hon. Gentleman's views as to the services of Lord Palmerston; but one thing which Lord Palmerston did, and which he (Mr. W. H. Smith) thought the right hon. Member for Greenwich concurred in, was to postpone the charge for fortifications by a series of Acts of Parliament, and to borrow large sums of money in order to carry them out. But still more recently the right hon. Gentleman the Member for Greenwich provided for the localization of the Forces in this country —that was to say, for building barracks, at a cost of £3,500,000, by borrowing. The circumstances of the day were not unusual; there was no war in Europe pending; there was no subject of great anxiety and care which occupied the mind of the right hon. Gentleman at the moment; but still it was deemed right that an Act of Parliament should be passed in 1872 by which powers were obtained to borrow £3,500,000 to build barracks. What was the charge upon this present year as a consequence of this system of postponing liabilities. It was not a liability which was to fall upon two or three years; it was not a charge to be paid out of taxes in existence; it was a liability extending over till 1885. The charge of this postponed liability which they had to meet, and which was none of their creating, was £1,000,000 a-year. That was to say, £1,000,000 was required to pay the yearly charge for the Terminable Annuities, created to meet the cost of the Fortifications and Local Barracks. The amount authorized by the Acts up to 1869 for the Fortifications was £7,460,000, and the localization of Forces £3,500,000. He knew that the circumstances under which the right hon. Gentleman the Member for Greenwich postponed the liabilities with regard to the building of barracks fully justified the step he took; but there was no other emergency in 1872 than this—that the Government of the day felt it to be a step necessary to promote the efficiency of the Army. The Government had schemes of Army organization which seemed to require that these barracks should be built; and Lord Palmerston's Government was convinced that these fortifications should exist. The present Government, however, might just as well come to this House and say that there were docks to be built and ships to be built; and both were as necessary as fortifications on shore. Her Majesty's Government did not come to the House and ask for a loan to build ships or docks. They had had heavy charges to meet on account of the course which was adopted during a series of years from 1860 to 1869 in respect to fortifications, and in 1872 in respect of the localization of the Forces. They had had to do more—namely, to find the armaments for the forts which were nearly finished when they came into Office, a very few guns existing to be mounted in the forts when the Government had to take charge of them. The question arose—Was our Force too numerous or too costly to be maintained? He agreed that the addition which had been made to them since 1874 and 1875 ought not to have been made if it was not needed for the interests of the country. Neither he nor any of his Colleagues at all shared the views attributed to them by hon. Gentlemen opposite. They had no desire for aggression or conquest. All they desired was that England should be capable of maintaining her place in the world and of discharging the duties which her position imposed upon her. When he came to think of the cost of our armaments, he had deemed it right to look into the costs of the armaments of some other countries. In 1870, when the Government of the day came down to the House and asked for a Vote of Credit for the Army and Navy, because they were alarmed at the state of affairs which prevailed in Europe at that time, the total cost of the Armies and Navies of Europe was £73,651,000. In 1878 it had risen to £97,744,000. In 1870 the Army of Russia cost £18,392,000, and her Navy £2,319,000. In 1878 the cost of her Army was £25,852,000, and of her Navy £3,988,000. In 1870 the Army of France cost £16,613,000, and her Navy £4,933,000. In 1878 the Army of France cost £21,533,000, and her Navy £6,528,000. In 1870 the Army of Germany cost £13,011,000, and her Navy £1,201,000; while in 1878 the German Army cost £17,494,000, and the Navy £1,729,000. In 1870 the Italian Army cost £7,253,000, and the Italian Navy £1,349,000. In 1878 the Army of Italy cost £8,116,000, and the Navy £1,854,000. In 1870 the Army of Austria cost £7,642,000, and her Navy £938,000. In 1878 the Army of Austria cost £9,689,000, and her Navy £961,000. They had thus a growth in the cost of the Armies and Navies of those five Continental Powers of from £73,651,000 in 1870 to £97,744,000 in 1878. Now, he by no means urged that it was the duty of this country to compete with others by raising regiment for regiment, or even ship for ship; but it could not be denied that the condition of affairs in Europe was such as must fill the minds of all thoughtful men with very great concern, and that, at all events, it was the duty of this country to be sufficiently protected in the case of danger or of difficulty. He would only say this for himself—that he did not believe they had a single man too many, or a single ton of shipping too many, and that none of the expenditure which had been incurred, speaking generally and broadly, was such as it would not have been incumbent on the Ministry of the day, whoever they were, to undertake. He did not believe that if the present Government changed places to-morrow with right hon. Gentlemen opposite, the latter would dare, in the interests of this country, to reduce the Army or the Navy by a single man, or would venture to interfere with the efficiency of any of the Services to effect economy in the Expenditure. He was convinced that right hon. Gentlemen opposite were honourable and patriotic men, and incapable of taking a course which would be dangerous to the interests of this country. The question, then, was whether the burden which the country had to bear was really too heavy to be borne—was it operating, as the right hon. Member for Montrose suggested, to crush the industry of the nation, or to impede the proper development of its resources? Now, first of all, the country must be rendered secure, and then it would do its duty by all who were concerned. The right hon. Gentleman said that the pressure of taxation was seriously heavier on the poor working man than it had been. What was the actual state of the case? He had mentioned that the net charge on the taxes was a little over £6,500,0000 more than it was in 1874-5. How had that occurred? When the present Government came into Office they found a 3*d.* Income Tax in existence. That tax was now 5*d.* When they came into Office there was a sugar duty. That duty was now abolished. There was also a duty on horses, which had now been abolished; and the substitute for it was the additional taxation on tobacco, about which the hon. Member for Burnley had spoken so feelingly. For himself, he could not regard tobacco as an absolute necessary of life; it was one of those articles on which the people taxed themselves voluntarily. But, as a matter of fact, against the increased tax on tobacco they had the repeal of the sugar duty. In other words, against that which was estimated at something like £500,000 sterling they had a reduction of taxation amounting to more than £2,000,000. He had already stated substantially what had been done with that Expenditure, and he would not weary the House by repeating it. But the question came simply to this—Did they desire that the Army and Navy should be reduced? Did they desire that, in the face of the present condition of affairs in Europe—in the face of what every statesman regarded with concern and fear as to that which might be involved in it? He had said that he would not refer to the debates that had occurred in the House on the question which had agitated the public mind for the last two years, and on which majorities ranging from 100 up to 204 had affirmed, in distinct terms, the policy of Her Majesty's Government. But he thought there must be few Gentlemen worthy to occupy the position of Members of that House who did not regard with concern the development of that Eastern Question, which every statesman for the last 50 years had endeavoured, by every means whatever, to postpone, in order to avert the calamities which they feared it might bring on their own country and on Europe; and it had been the duty of Her Majesty's Government, in a period of great anxiety and responsibility, to take steps for the protection of this country, for the exhibition of its force, not alone in the assertion of its rights and its power, but in the simple discharge of its duty in the Councils of Europe. They had endeavoured to take security for peace and contentment at home, and to make the name of England respected abroad. He was glad to know that her name was now respected far more than it was in past times—far more than it was in those days when it was not felt that there was a definite policy of resolve on the part of the Government of this country to do its duty by the world and by the glorious traditions which had been handed down to them.

Mr. LAING observed, that, without going into the details and figures of the Budget, it amounted shortly to this—that they now had for the second year been running a Budget with an admitted deficit. For the last two years there was a deficit of £5,325,000. That condition of our finances, he thought, exemplified in the fullest manner that it was the foreign policy of a country that really made its Budgets. Imperial finance trod so close on the heels of Imperial policy, that when they departed from British foreign policy they found themselves entangled in Imperial finance. They generally found that an Imperial policy was one of surprises, and that had been the state of affairs during the existence of the present Government; but he denied that they had any right to rush into foreign wars for the sake of what he might term a momentary brilliancy. The Italian War, the Franco-German War, and the Crimean War brought all Europe into a conflagration, and everybody were opening their eyes in order to see what would arrive next; and he saw no reason why these events should be repeated, instead of adopting what he might call a common-sense view. The only reason was that the hand of England should be traced in any settlement which might be arrived at. In other words, it was a direct reversal of the policy of Lord Derby, who said that the greatest interest England had was that of peace, and that if war were to come sooner or later, he preferred the latter. To that reversal he (Mr. Laing) entirely attributed the nature of the Budget which had been laid before the House this year. But that was not a time to discuss the merits of that policy. They had to consider the question of providing the costs out of which to pay for it. The nation had now awakened out of the stage of the overnight's supper, and was enduring the morning's reflection with the prospect of the bill to pay. In the French Budgets, as the expenditure was larger than the current taxation would meet, devices were resorted to, and the Budgets were called ordinary and extraordinary, and there was a Sinking Fund; anything was caught at to postpone or push out of sight as much of the larger expenditure as possible. Until now they had never heard of "ordinary" and "extraordinary" Budgets. The Chancellor of the Exchequer, when he introduced the Budget, claimed a surplus of £1,900,000; but when they came to examine it, they found that it was a surplus leaving out of view the expenditure that was actually going on, and that had to be paid for by the taxpayer just as any other expenditure. Instead of a surplus, or anything like a surplus, there was a deficit of £5,325,000 in two years. Why was that disguised under the forms of "ordinary" and "extraordinary" Budgets? The fact was, the Government did not like to ask the country to pay the tax. What used to be done by the French Government was the manipulation of the Sinking Fund. What was the British Government doing now, but manipulating the Sinking Fund? He recollected hearing a statement of almost millions of Debt that were to be paid off by the year 1890. What had become of the Sinking Fund, and the millions that were to be redeemed by it? The amount of unfunded Debt had far more than swallowed up that which should have been applied to Terminable Annuities. They had heard some time ago of their duties to posterity, and they had had the example of America, which, under circumstances of extreme depression, had actually kept up the Revenue by taxation, and paid a Debt of many millions sterling. What was this Budget of ours but an attempt to stave off the pressure caused by wars, which he must say might have been avoided? Continental nations invariably, in a Debt of this sort, staved it off as long as they could from the floating or unfunded Debt. What difference was there between Debt, whether funded or unfunded? Unfunded Debt was the worst and most dangerous form of Debt; whereas, funded was the most convenient and safest form. What had Railway Companies been doing but converting their debentures, payable at short dates, into funded debt, of which the interest only could be converted, and not the principal? By the course the Government had pursued, there had been indirect damage to the Treasury by injury to trade and commerce. He did not doubt, from his own experience of the commercial world, that the statement of the right hon. Member for Montrose (Mr. Baxter) was strictly true —namely, that the measure of mischief to the trade of the country, and therefore to the Revenue of the Chancellor of the Exchequer, was vastly greater from the insecurity and want of confidence which had been engendered by a constant succession of surprises in foreign policy than by the direct pressure of taxation imposed upon the country. He had known instances of men, who were warm adherents of the Conservative Party, who were afraid to go into transactions, because they could not calculate for a single day or month what political surprise might be in store for them. They might wake up some morning and find that the Indian troops were ordered to Malta, a panic in the City being the consequence. But the most serious feature of our financial policy was the deferring till a more favourable occasion—which he presumed meant till after the next General Election—of a great portion of our Expenditure which must be met. There was not a single penny provided in the Budget for the Afghan War. There was £2,000,000 to be paid to India without interest. It was assumed that that money would be regularly re-paid, and that, therefore, it need not be taken into account. Would any man, who knew anything of the circumstances of India, maintain that any one farthing of that money would ever be paid out of the produce of the country? It would go to swell the National Debt, which would ultimately fall upon the taxpayers of this country. It was, to his mind, really the serious financial question of the day, because, after all, the others were minor affairs. The £6,000,000 was gone and spent, and there was an end of it. The Zulu War could not last for ever. It would cost a certain number of millions, and there would be an end of it. But how were they to encounter the difficulty—he might also say the desperate condition—of their great Dependency, the Empire of India? The situation there was most serious. He did not speak of the immediate cost of the Afghan War. They had drifted a long way from the time when the Chancellor of the Exchequer had told them the cost of the war was to be paid out of the Indian Budget. It was as unlikely that there would be £1,100,000 to apply to it, as that £1,100,000 would cover the expenditure. He recollected saying that they would never see an end of the war for £5,000,000, and he ventured now to repeat that prediction. Suppose some sort of peace were negotiated with Yakoob Khan, he did not believe the cost would be less than £5,000,000; but if they were drawn into an advance on Cabul, and a permanent attempt to occupy Afghanistan, there was no knowing what the cost would be. He saw no reason why it should not be £5,000,000, or £15,000,000, or £20,000,000. The first cost of the war was not the only thing. There was the cost of occupation. There was the cost of a "scientific Frontier." Was there anyone who had any acquaintance with India or military affairs who thought that any advance of Frontier in Afghanistan would not be attended with great expense? Sir Henry Norman, who was for many years Military Secretary in India, and was the right hand of the Indian Government on Military Finance —who knew every garrison fort, and how many men were required for each —had written a most admirable article in *The Fortnightly Review*, which any hon. Gentleman who had any doubt on the subject would do well to study. The management of a scientific Frontier might require 13,000 or 14,000 additional men, at the additional cost of £1,000,000 to £1,500,000 a-year to India. So far from Indian expenditure being diminished, Sir Henry Norman said that the absence of troops in Afghanistan would in no way enable them to do with fewer men in India. Indeed, it was obvious, the garrisons being so far away, and separated by mountain passes, would be sources of constant anxiety. The question was, was India in a condition to sustain the additional expenditure of from £1,000,000 to £3,000,000 which this would involve? This was not a time to enter fully into the question; but he might say that the time must come when Indian finance must be treated as a part of English finance. No choice could be made between India becoming bankrupt and England imposing burdens on the English taxpayers. The real Revenue of India was £38,000,000. Out of that, the Army and Navy before the Afghan Expedition cost £17,000,000 a-year. The loss on silver was over £3,000,000. There was interest on the Debt of £4,500,000; and allowances and superannuations, £3,500,000—making £28,000,000, leaving £10,000,000 for the expenses of administration of law, and police, public works, and education, and allowing nothing for famines which, in five or six years, had actually cost £16,000,000. It was perfectly obvious that the amount of Revenue was insufficient to carry on the affairs of an Empire of 200,000,000 of people. They had spent more than they had received, and they had got into Debt. The charge on the National Debt, in 1856, was £2,190,000; at the close of the Mutiny, £3,200,000; in 1876 it was £4,350,000; and with £4,500,000, irrespective of the cost of the Afghan War, they could not make both ends meet. This was the sort of thing Egypt and Turkey had done, and it must end in the bankruptcy of India, and would have ended but for the knowledge of the moral obligation England felt to back her up. Reform could only be effected by cutting down military establishments. Instead of that, they had sent out a Viceroy who was the worst man they could have selected, and who had already plunged them into the Afghan War. It was clear, therefore, the Indian finance must be added to English finance. The £2,000,000 might be put off to a more convenient season—which might be after the next General Election. The Government were shirking a difficulty—not meeting it. The people of England must be prepared to pay the piper both in England and in India. They had had a jolly time, and had sung patriotic songs; but the morning's reflections had come, and they would have to pay, and with interest.

MR. J. G. HUBBARD said, that the speech which the House had just listened to dealt not only with the Budget, but with the foreign policy of the Government and the state of India. His remarks would be confined to the Budget of the Chancellor of the Exchequer, which he considered eminently satisfactory, because it was wholly unsensational. The Statement of the Chancellor of the Exchequer frankly and clearly described the actual position of the country as managed by the Finance Minister. But if the mode was satisfactory, so was the result of the Budget. It showed that upon the Estimates of 1879-80 there was, beyond the the ordinary expenses, an excess of £1,900,000. The retrospect of the year just passed was not so satisfactory, because it showed a deficit of £4,254,000. How was that deficit provided for? By the issue of Exchequer and Treasury Bonds. If the Chancellor of the Exchequer attempted to hide the amount of their obligations, by representing that the Debt was not increased when it was increased upon the unfunded portion of it, it would be a deception. But the Chancellor of the Exchequer made no such declaration, but reckoned the funded and unfunded Debt together. The right hon. Gentleman also did wisely in raising the necessary Supplies by the issue of Exchequer and Treasury Bonds, upon which, owing to the favourable state of the market, he had to pay only about 2 per cent, instead of 3¾. The Chancellor of the Exchequer had, therefore, done wisely in raising the money by way of temporary obligations. It was right, however, that the country should be made sensible that it must make efforts to meet the Debt. He would not approve putting it out of sight. The Chancellor of the Exchequer had presented a Statement of Revenue and Expenditure, showing a balance in his favour of £1,900,000. In that Expenditure was included the very large sum of £28,000,000, which was appropriated expressly to the charge for the National Debt. That charge, however, was only about £22,000,000 or £23,000,000; and, therefore, £5,000,000 were devoted to the laudable purpose of paying off that mortgage. He was afraid the Armies in Asia and Africa would cost a great deal; but that was a matter which could not be estimated now. It must be considered hereafter, and provided for as the House might think well. With reference to the Motion of the hon. Member for Burnley (Mr. Rylands), it presented a curious contrast to the speeches which had been addressed to the House. The Motion called upon the House to condemn the taxes levied on the people, because they

> "impede the operations of agriculture and manufactures, and diminish the funds for the employment of labour in all branches of productive industry, thereby tending to produce pauperism and crime, and adding to the local and general burdens of the people."

That was a very heavy indictment; but on what ground was it based? The speeches on the other side which followed that of the Mover called upon the House to censure the Government because they had not put on new taxes. Therefore, they were blamed for two very different things. In the first, for having imposed heavy burdens on agriculture and trade; and, secondly, for not having put on new taxes. Then hon. Members opposite had called upon the Government to reduce the Expenditure, and had fanned into fury their indignation at the outlay the Government had incurred upon the Army and Navy of the country. But those hon. Gentlemen should consider that our Army and Navy were not employed, as some Armies and Navies of Continental Powers were employed even at the present day, for purposes of aggrandizement and conquest. We were not in the habit of invading other States. Nor did we seize other States for the purpose of national aggrandizement. Our Armies and Navies had been used, within the present century at least, for no other purpose than that of promoting the interests of commerce and industry in our Colonies. They looked at the Army and Navy with gratitude and admiration, for they were the props and mainstay of commerce for which this country had been renowned. He maintained that the Budget was a perfectly frank and transparent exposition of the state of the national finances. There might be some points of financial policy on which he had, in past times, differed from the Government; but he saw nothing in this Budget to attract the animadversions delivered against it by the hon. Member for Burnley, and he hoped they would reject the Resolutions.

Dr. KENEALY*: Mr. Speaker, I hardly know whether the movement on which these Resolutions are founded is more deserving of ridicule, or compassion, or contempt. It seems to be the dying effort of a defeated and infuriated faction to bring, if possible, some odium on Her Majesty's Ministers; but I believe that in this attempt they will fail, as they have already failed in so many similar devices. I am not prepared to support the Government in their Zulu War. I have voted against them on that question. Neither do I wholly approve of their warlike proceedings in other matters, which I think, with wise and bold management, might have been avoided. Nevertheless, I cannot help expressing my free opinion on the motives which seem to have dictated this wretched Motion. It appears to be the latest outcome of that wild and frantic agitation which began with "Bulgarian atrocities," and which has been continued since by the Party out of Office, in so random and reckless a manner, that the whole country has been thrown into a state of confusion by the various misrepresentations made as to the policy of the Ministry. There is hardly any sophism which they have spared; there is scarcely a single mis-statement to which they have not resorted in their endeavour to inflame the public mind. But their audacity on the present occasion exceeds all their former daring. The Mover of these Resolutions simply asks us to stultify ourselves—to undo all that we have hitherto done, because we thought it right to do. The first paragraph asks the House to view with regret the great increase in the National Expenditure. The second asks us to affirm that such Expenditure—

> "For which Her Majesty's present Government are responsible, is not necessary, in the opinion of this House, to provide for the security of this Country at home, or for the protection of its interests abroad."

How can this House view with regret what it has already sanctioned on numerous occasions by large majorities? How can this House, which by its votes is really responsible for the Expenditure which the hon. Member wishes to fix upon the Ministers, pass a Vote of Censure upon itself, for what it has most fully sanctioned? Yet it is this which the hon. Member for Burnley (Mr. Rylands) modestly asks us to declare. We have already supported and backed up the various Military enterprizes and expeditions which Ministers have undertaken. What new light has now been flashed upon us, that we should retrace all our steps, and express our regret for the Expenditure which we have so frankly authorized? The hon. Member—if I may be permitted to form an opinion from the ludicrous portions of his speech

—appears emulous of occupying the place of Chief Jester to the House, which the late Colonel Sibthorp once so well sustained; and if we hear many more harangues from him in the present style, I think the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) will have to look to his laurels for comicality, which seem already in some danger. With intense curiosity and attention I listened to the speech of the hon. Member. I was anxious to learn what remedy had been devised by him and his fellow-comedians to meet our present difficulties. I heard nothing practical; only vague commonplaces and generalities. The hon. Gentleman tells us, like an oracle—"We want peace in our time." Of course, we do. Nobody desires or wants war; but war seems to me to have been forced on Ministers by the conduct pursued by their Predecessors in Office. The hon. Gentleman goes on to say, that "when war flourishes, trade decays." These are no new discoveries. I think they are several thousand years old. Yet we have heard them propounded here to-night with an emphasis, a gravity, and an affectation of originality, which might well provoke the laughter with which the hon. Gentleman was so largely greeted. Can anyone seriously believe that any Ministers of the present day have a mania for war, when the peace spirit and the peace party are so strong everywhere? The hon. Gentleman seems anxious to load the present Ministry with the entire ignominy of the Afghan War. But what is the fact? That war, which I lament, is one of the evil legacies bequeathed to us by the foolish or the wicked policy pursued by Lord Lawrence and Lord Northbrook in India, and which has alienated from us so many of the Native and the independent Princes in that great Empire. That policy had rendered all things insecure; no one believed that he was safe. Those Viceroys had, by their contemptuous—I may say their ignominious and insulting—treatment of the Ameer, Shere Ali, absolutely forced him into the arms of Russia. It is well-known that that unfortunate Prince desired to live in peace and friendship with us; but these Representatives of England had almost insolently rejected his overtures, and he then began to think, not unnaturally, "I must have friends somewhere, since I cannot have England for my friend;" and so he turned to the Emperor. Circumstances have since shown on what a rotten reed Shere Ali rested; but when he made no secret of hostility to us, what were we to do? And how unjust it is to condemn the present Ministers for the proceedings in Afghanistan, which have been entirely brought about by the conduct of Lord Northbrook. If that Viceroy had not acted in the most imperious and tyrannical manner, Shere Ali would have been alive to-day, and our most faithful friend. The hon. Gentleman then passes on to Burmah; indeed, he has nearly traversed every portion of the habitable earth to find cause for quarrel with Her Majesty's Government, and particularly that Member of it whom he holds in special horror —I mean Lord Beaconsfield. As I understand the Burmah question, it is this. A new King has come to the Throne; one who is either naturally mad, or who has made himself so by perpetual intoxication. He signalized his advent to the Crown by some brutal massacres. Our countrymen in Burmah felt themselves in danger; and because we have taken steps to save them from being butchered by this lunatic, the hon. Gentleman must find fault. I should like to know what he, what would the country say, if we had taken no steps to protect them, or if we had allowed them to be slain in cold blood, as might very probably have happened if we had remained quiescent? The hon. Gentleman then fancies that he has made so good a case, that he recommends Ministers "to take the mind of the country;" and he asserts, in hardly Parliamentary language, that the Chancellor of the Exchequer had "bubbled" us all. In my judgment, the bubble is on the other side. Hon. Gentlemen on the Whig and Sham Liberal Benches have traversed the whole country, blowing their bubble; dazzling and deceiving the minds of the community, with a kind of rhetoric run mad, in which there was no lack of any element that could excite or lead astray an ignorant community. Nevertheless, both the House and the country still have faith in the foreign policy of Her Majesty's Ministers. Both have supported them during the Russo-Turkish War; and I believe that the Sham Liberal bubble has burst, and that the country will support them still. The Whigs and Sham Liberals, however, do not, or will not, see that they have failed; they are still endeavouring to sow discontent among the masses. They do so in their speeches; they do so in their newspapers. They have declared that their bogey, Lord Beaconsfield, has committed almost every political crime. One day he is accused of "Imperialism;" another day of "personal Government;" a third, he and his Colleagues are violating the Constitution, and deserve, perhaps, impeachment for not dissolving Parliament before Parliament has legally expired. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) is particularly earnest and eloquent, and even angry on this subject. I suppose Her Majesty's Government, having a large majority, are content to let well alone; and I should very much distrust their common-sense, if they selected that particular moment for a General Election which would be most convenient to the right hon. Gentleman and his Friends. Those hon. and right hon. Gentlemen on the Whig side, who are now clamouring so noisily for an immediate Dissolution of Parliament, appear to have forgotten that a seven years' House of Commons is their own pet measure; that the Septennial Act was passed by Walpole and the Whigs and the Sham Liberals of the last century; that they did so as if for the special purpose of destroying the liberties of England, and making Members independent of the voice and will of their constituents; and if the Tories now say —"We shall not dissolve Parliament till the seven years have expired, we shall not go to the country at the time you choose, but when we think it right and expedient; we shall wait until the mass of falsehoods which you have spread far and wide are utterly dispelled and blown to the winds"—if they said this, and did it, I think they show good policy and good statesmanship. Not that I think they need to be at all afraid to go to the country at this moment. The Whigs and Sham Liberals are deluding themselves with the bubble that they will win. I believe they will be beaten at the General Election, for which they now profess to pant so ardently. But they have another grand cry, which we have heard echoed here to-night, and thousands, no doubt, have been misled by it. While the Tories are in—while Disraeli is Minister, trade will be depressed, commerce will not flourish—even agriculture, for which the Whigs and Sham Liberals have lately taken a sincere love, will be in a bad condition. "We have nothing but wars and rumours of war. Nobody knows when he gets up in the morning, with what foreign country we shall be at battle before night. How, then, can trade be prosperous? How can the people be otherwise than in want? It is all caused by Beaconsfield and the Tories." This is very well for the platform, or for the noisy meetings at which these orators figure. But then they get alarmed lest the masses of the people may grow very discontented; may even break out in rebellion, and do something desperate. So they employ their newspapers to tell them. "Be patient. Be patient. You are no worse off than others. In America, in France, in Italy, in Spain, in Austria, in Germany, there is the same depression, the same stagnation, the same want of employment, the same poverty that there is in England." Now, these two statements cannot be reconciled. In the first, Lord Beaconsfield and his policy are the causes of misfortune. But, then, similar misfortunes has come upon all those industrial lands which I have named. Have they a Beaconsfield bogey in the United States, in France, Belgium, and elsewhere, who kills trade? Has America, or Germany, or Italy been at war, or have they had rumours of war? Nothing of the kind; all has been peace. This fact proves that it is not our bogey who has done all this, nor his policy; but that there is, for reasons that I do not presume to solve, a general depression of trade all over the world. Yet with these facts, which they must know, they still keep harping on the same string. The Sham Liberals have entirely refuted their own assertions; and one may well blush for a Party which uses such devices for gain. The hon. Gentleman the Member for Burnley, inadvertently, I fancy, told us what the Whigs would have done had they been in Office when Russia wanted to destroy Turkey. He says they would have united with the Emperor, and would have forced Turkey to do what Russia willed. From this, therefore, it is clear, that if this country had had the dire misfortune of having the present outcasts from Office at the head of affairs, we should have presented to the world the ignominious and degrading and most craven spectacle of having joined one of the greatest Military Powers in putting down a weak country which was simply defending itself. I am glad that we did not fill a part so dishonourable on the world's stage as that would have been; and I hardly think that the hon. Gentleman's backers will thank him for having brought before us so pointedly the cowardly course which the Sham Liberals would have followed—a course that would have dishonoured us in the eyes of all mankind. I do not follow the hon. Member farther. Indeed, I think I have followed him too far; and I hardly know into what quagmire he might lead me. But I pass to his Seconder, the right hon. Gentleman the Member for Montrose (Mr. Baxter). When the right hon. Gentleman rose, I was all attention. Now, I thought, we shall hear the great man; now all difficulties will be cleared away; now we shall learn the true remedy for all our misfortunes. I listened, and listened, and listened in vain. I had expected to hear some tolerably reasonable grounds for dissatisfaction with Her Majesty's Ministers. All that appeared was some complaint about Probate and Succession Duties. I likened myself to one of those rustics who assembled to witness the mountain in labour. There was thunder and wind and lightning; and, at the end, a miserable mouse crawled forth. The right hon. Gentleman did not go even the small length of the Proposer of these Resolutions, who suggested that we might save £1,000,000 or so in the reduction of our Military expenses. What is all this but peddling? Neither of these Gentlemen has grappled with the great evil, which is now too much for this country to bear—I mean the £15,000,000 or £20,000,000 which our standing Army costs us every year. I have a Motion on the Paper with reference to the abolition of a standing Army; but, even if I went down on my knees to every Whig and Sham Liberal in this House, I could not get one of them to second me. Why is this? Because these great Financial Reformers are not Reformers at all. They use the words, Peace, Retrenchment, and Reform, when they desire to evoke cheers at the meetings, and to lead unthinking multitudes in their chains. But when a great Reform, such as I propose, is mooted, then they fail to see it. If you want Peace, abolish your Army. If you want Retrenchment, save your expenditure upon it of £15,000,000 or £20,000,000 a-year. The right hon. Gentleman the First Lord of the Admiralty told us, an hour or two since, that every man of honour and patriotism in the country would support the cost of an Army and Navy. I trust I have honour and patriotism—quite as much as those who are paid for professing both; and, yet, I am for the abolition of a standing Army, which I regard simply as a standing menace, and no less. I will not enter into the Constitutional question. Another time I may do so. But I crave leave to remind the House that a standing Army is a violation of the ancient Law and Constitution of our forefathers. A standing Army was unknown in England until the evil days of the Stuarts. The first Charles kept a standing Army, and it was one of the charges brought against him by the people, for which he lost his head. I need not add that he kept up an Army solely to maintain the despotism at which he aimed. He suffered justly for that violation of our laws. His son James had an Army, like his father, and lost his Throne, because he used that Army to war with his people. The Bill of Rights declared, in the reign of his Successor, that standing Armies were illegal and un-Constitutional; and they still are so. But when the Guelphic Family came to the Throne, Walpole and the Whigs, as part of their conspiracy against the liberties of the nation, set up a standing Army, and maintained it on numerous false pretexts. The Tories of those days violently and patriotically opposed a standing Army; but then, as now, they were borne down by a clamour of falsehoods, and standing Armies became a regular institution, but, still, in violation of the English Constitution. I do not know what the present Tories will do, if I seek to abolish a standing Army. Probably they will unite with Whigs and Sham Liberals to maintain it, for it affords illimitable fields for patronage—which is only another and a reformed name for bribery. Many protests were made against it, in the last century, by able and honest men, in this House; and these protests were so far successful that, Hallam tells us that, even an unreformed Parliament never allowed, in the whole of that century, a standing Army of more than 17,000 men. Now, under the auspices of Whig and so-called Liberals, and in a highly formed Parliament, I believe, we have a standing Army nnmbering 120,000 men; and of what use they are, unless it be to keep us all down, I do not see. They cost us enormous sums; and there is positively nothing to show for these sums but wicked bloodshed and a fearful amount of debt and taxation. I should be glad to know what our Army is for; and I hope the right hon. Gentleman the Chancellor of the Exchequer will tell us. The Americans have no standing Army. We say that we have the most powerful Fleet in the world, and we pay the most powerful price for it. The First Lord of the Admiralty, to-night, has told us the cost of other Fleets; they amount to absolutely nothing when compared with what we pay for ours. Well, then, is this costly Fleet unable to prevent England from invasion? I cannot think it. But assuming, if you like, for the sake of argument, that this Fleet is vanquished—the thing is incredible, but I will assume it—an enemy lands on our shores; he would be in rather a crippled condition, after running the gauntlet of our Fleet. But here he is. Well, how shall we resist him if we have no Army? Very easily. In the first place, we have 150,000 Volunteers—brave men, thoroughly efficient and patriotic, and nearly all with a stake in the country. What invading force could stand against these disciplined and noble soldiers? Whenever the Duke of Cambridge, and other great warriors and generals, attend at banquets, they uniformly speak of the Volunteers with the highest, and, I am sure, with the most deserved, praise. But the whole strength of the country would gather to the aid of these Volunteers to fight the invader. He could not land at many points. We have a circle of railways; and the whole force of the nation would be concentrated to thrust him back into the sea. In six weeks, America turned out grand Armies; why could not we? We should have but a poor Fleet, if he could land in less time. Then we have a Militia—a large and well-disciplined, and loyal and fighting Force. And we have a Yeomanry Cavalry, consisting of some of the finest and stoutest men in England, and to be counted by tens of thousands; and what could we not do with these? And what would they not do in defence of wives, and families, and homes? Away, then, with a standing Army. And if it were away, from what crimes should we not be saved? We now use it abroad for purposes of aggression, which means robbery and murder; and at home, as a menace against the millions of our land. Abolish it, and we shall have no Maori massacres, or Kaffir Wars, or Zulu slaughters. The Colonies, which now depend upon us to maintain them in their raids against the Natives, will depend upon justice and honesty as their best safeguards; and we, with £20,000,000 a-year to the good, which we shall save by this measure that I propose, will be in time released from distress, from poverty and discontent, and shall present to the world a spectacle that has not been witnessed here for many a long day—of happy homes, and households free.

Mr. RICHARD: I am glad my hon. Friend the Member for Burnley (Mr. Rylands) has moved an Amendment which admits of our discussing, not only the Budget, but the whole policy of Her Majesty's Government, which has brought our finances into the present deplorable condition. For that they are in a deplorable condition, is evident from this one fact, that, according to the Estimates of the Chancellor of the Exchequer, the Government is about, during the present year, to extort some £83,000,000 from the people of this country, and that at a time of almost unprecedented commercial embarrassment and distress, when trade is failing, enterprize paralyzed, and every considerable industry crippled; when *The Gazette* is full of announcements of bankruptcies, when there are thousands of working men out of employment, and tens of thousands more who while in employment can scarcely earn bread enough to feed themselves and their families. Not only so, but, in spite of this enormous sum which is to be wrung from a suffering people, there is a prospect of a large deficit which the Government dare not face, but which they are prepared to leave to the chapter of accidents in the future. All this, or almost all of it, is due to one cause—and that is that the Government have adopted what is called "a spirited foreign policy." I always hear that phrase with suspicion and alarm. After many years' observation, I have found that "a spirited foreign policy" always means a policy of aggression and meddling, of bluster and blood, and has almost invariably led either to war or to national humiliation, generally to both, as I believe is the case in the present instance. I have not been forward to find fault with the foreign policy of the Government. When, three years ago, the Eastern Question began to rise into notice, I found myself unable to join with some of my hon. Friends on these Benches in pronouncing unqualified condemnation of the course the Government were taking. On the contrary, they seemed to me, amid great difficulties, and not, perhaps, without some pardonable mistakes, to be earnestly trying to avoid involving the country into dangerous compromises and complications. And so long as Lord Derby was at the head of the Foreign Office, I felt considerable confidence that our Councils would be guided in the paths of peace. But when he and Lord Carnarvon had been got rid of, the Prime Minister appears to have taken the bit between his teeth and to have run away with the coach. It was a matter of great surprise to me how some Members of the Government, especially the Chancellor of the Exchequer and the Home Secretary, had allowed themselves to be dragged by him into such wild and perilous enterprizes. And after all, what has come of your spirited, your Imperial policy? Well, for one thing, this Budget has come out of it; for those who choose to indulge in bounce and braggadocio, under the name of patriotism, must be prepared to pay pretty dearly for their whistle. But what else has come of your spirited foreign policy? I really think that even its most devoted partizans must begin to feel that it has proved, and is proving, more and more every day a conspicuous and ignominious failure. I doubt whether there is in our whole history such an instance of speedy and utter collapse. Yes, after all we have done and suffered on its behalf; after the nation has been held for many months in a state of the utmost anxiety and apprehension; after having been brought to the very verge of a war with Russia, the extent and duration of which no human sagacity could forecast; after being taxed to the tune of many millions to support the preliminary bluster before going into the Berlin Congress; after having strained to the utmost, and, as many believe, actually and flagrantly violated the Constitution by bringing outlandish troops to Europe without the knowledge or consent of Parliament; after demoralizing and dishonouring the national character by calling forth the rowdy element to the surface of society; after rushing into an unnecessary and unjust war in Afghanistan, which will, to a terrible extent, still further embarrass our all but bankrupt Indian finances; after plunging into another unnecessary and unjust war in South Africa—for that is also the offspring of your spirited foreign policy—after all this, what have you got to show for it? So far as I can see, absolutely nothing. All your grand plans are turning out abortions. The Turkish Empire, which was to be, not partitioned, but "concentrated and consolidated," is falling to pieces under the influence of incurable internal corruption and anarchy. Russia, which was to be checkmated and humiliated, has acquired and retains possession, so far as I can see, of everything she wanted to possess. The division of Bulgaria into two Provinces, which was the one great achievement of the Berlin Treaty, is proving to be, and all but acknowledged to be, impossible. The Anglo-Turkish Convention is turning out a gigantic fiasco, except that the vast and vague obligation it imposed on this country is still hanging over our heads. Cyprus, that glorious "place of arms," is an enormous white elephant, from the occupation of which, I believe, the Government would gladly retreat, if they could do so with any decent show of dignity. In Egypt you have got into an extricable mess, from which you are in vain struggling to escape. The Afghan War, which was to give you lasting security against Russian aggression and intrigue, is believed by all thoughtful men acquainted with India to be only the beginning of sorrows and troubles in that region. In short, the whole pretentious fabric of Imperial policy is crumbling into ruins under the very eye of its architect, almost before the scaffolding is removed. What I cannot forgive the Government is, that they have deliberately set themselves—at least, some of them, and all of them by silence and connivance — in the language of the noble Marquess the Leader of the Opposition, in an admirable speech he delivered during the Recess, "to stimulate and inflame the warlike passions and instincts of the people," and to encourage them to demand a policy which, if it is to be followed to its consequences, would necessitate the military conscription. What rendered this all the more disgusting was, that the men who clamoured most loudly for war had no intention whatever of going in their own persons to bear the brunt of the misery which they were willing to throw upon others. Neither the rowdy Jingoes of Hyde Park, who supported the Government by singing doggerel war songs, and then went to hoot and howl around the residence of the most illustrious statesman of the age; nor the respectable Jingoes of the City, who rushed in with bludgeons and brickbats to disturb a meeting held by peaceable citizens, had any idea of offering themselves to go forth in order to encounter the suffering and agony to which they were willing to see others exposed. It would have been some satisfaction if these Jingoes had been got hold of and sent out to Afghanistan or South Africa to see how they liked it. In reference to such people, we may use the words of Edmund Burke, who said, on a somewhat similar occasion—

> "I cannot conceive any existence under heaven (which in the depths of its wisdom tolerates all sorts of things) that is more truly odious and disgusting than an impotent creature without civil wisdom or military skill, without the consciousness of any qualifications for power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight."

The levity with which we enter wars in these days seems to me perfectly shocking. Anything suffices as a pretext for this—a pompous and unmeaning phrase, like the "scientific rectification of Frontier"—and, by the way, your scientific Frontier seems, like the mirage, to be receding before you the further you pursue it. Some of the reasons assigned for the war in South Africa are of a most extraordinary kind. Sir Bartle Frere said it was necessary to make war on the Zulu Chief, because he maintained a standing army of celibates which was a menace to his neighbours. But if that justified war with Zululand, it would equally justify war with France, with Germany, with Austria, with Russia—in fact, with all the nations of the Continent, for they all maintain standing Armies of celibates which are a menace to their neighbours. It was added, as an aggravation of the conduct of Cetewayo, that he was proud of his Army, and that he delighted to bring it into military kraals for exercise and discipline. Of course, he was proud of his Army. Are you not all proud of your Army? Nay, are not their standing Armies the one thing of which all civilized and Christian nations are supremely proud—on which they expend by far the larger proportion of the enormous revenues which they wring from the toiling millions of Europe—on which they lavish most freely all the honours, titles, distinctions by which a State can show its highest appreciation of any institution? I am no friend to standing Armies. I believe they are at this moment the greatest curse of Europe, oppressing the people with intolerable burdens of taxation and military servitude, embarrassing the finances of States and bringing them to the verge of bankruptcy, spreading corruption and vice like a canker through society, and keeping neighbouring nations, who ought to live side by side in mutual confidence and dependence, in a state of perpetual jealousy, suspicion, and alarm. But was it not a piece of disgusting hypocrisy to go and make a war on a poor barbarian African Prince for keeping a standing Army, while we ourselves are maintaining a large one, and actually to send a portion of our celibate standing Army to put him down for keeping a similar institution. I shall, perhaps, be told again, as we have been told before, that it is not fair to attack men in their absence—that Sir Bartle Frere is a distinguished public servant, who was placed in circumstances of great difficulty, and has a claim upon our sympathy. There is a great deal of that kind of cheap chivalry in this House, especially among the official class, who are always ready to rush forward in defence of one of their own order. But, let who will sympathize with Sir Bartle Frere, I am free to confess that my sympathies are with the 1,200 or 1,500 families who have been plunged into anguish and desolation by his means. Yes, my sympathies are with the mothers, wives, daughters, sisters, who in those desolate homes are sobbing and breaking their hearts over the brave and the beloved who at Isandlana, and elsewhere, were hurled into bloody and premature deaths by his headlong and reckless policy. Yes, and I feel sympathy for the relations of the unhappy Zulus—for they also had wives, mothers, and sisters—thousands of whom, we are told, have already perished while bravely and patriotically, as we should say of others, defending their country against a wanton and unprovoked invasion. For myself, I must say that, not for all the wealth and honour which this world could confer upon me, would I have on my soul the burden of bloodguiltiness which must lie on the consciences of those who brought about that horrible slaughter at Isandlana, and all the havoc and misery which I fear is to follow. We have been told by a great authority that the danger to which this country is exposed is from the prevalence of the principles of the Peace-at-any-price Party. Now, in the first place, I should like to know where that Party is to be found? It is well known that there is a small body of persons in this country who, on high religious grounds, maintain that war is opposed to the spirit of the Christian religion, and that is a proposition which I defy the whole Bench of Bishops to refute. But those doctrines are never brought into the arena of politics; partly because those who maintain them have long become sorrowfully convinced that our political Christianity is a mere Ecclesiasticism, to which it is utterly vain to appeal on any matter touching the moral life of the nation, and, least of all, its foreign politics; and partly because they shrink in very reverence from thrusting the sacred words of the Gospel into the coarse conflicts of the Chauvinism and Jingoism of the age, since they feel that that would be to cast pearls in a direction expressly forbidden by the Gospel itself. But where among politicians can be found the Peace-at-any-price Party? Can any trace of it be found in this House? Certainly not among the hon. Gentlemen opposite, who seem always breathing threatening and slaughter against somebody; and I observe that the more violent and warlike any sentiment uttered in this House, the more uproarious are their cheers. Not among hon. Gentlemen above the Gangway on this side; for some of them have still on their consciences the absurd and unnecessary war with Russia in 1854, and the still worse and wickeder war with China in 1857. Not among my hon. Friends who sit on these Benches around me below the Gangway, for they can be as full of fight and ferocity as anybody, if you let them indulge that temper in their own direction. Some of them hold by the singular paradox that the best way to promote freedom and philanthropy on the earth is to let loose the scourge of war, which fills the habitations of humanity with mourning, lamentation, and woe, and "shuts the gates of mercy on mankind." ["No, no!"] If it were possible to believe—which I, for one, certainly do not believe—that those who throw out this taunt do so for any other purpose than as a piece of very hollow clap-trap, intended "to split the ears of the groundlings," we may safely say that the idea that this country is in danger of being too much influenced by the Peace-at-any-price Party is about as unfounded and fantastic an apprehension as ever troubled any man's brain. Why, Sir, there is no nation in the world which is so frequently—I was going to say, so constantly—at war as we are. I doubt if you can put your finger on any two consecutive years within this century when we have not been fighting somebody somewhere, and for some cause or another. There is scarcely a nation, savage or civilized, on the face of the earth with which we have not come into hostile conflict. There is scarcely a country whose soil we have not manured with human flesh; scarcely a sea whose waters we have not crimsoned with human blood. Does the House know how many wars we have had on our hands since 1816? I mention that date because the era since then is sometimes called an era of peace. Well, since 1816, we have been at war with Turkey, with Egypt, with the Algerines, with the Ashantees (twice), with the Burmese (twice), with the Dutch, with the Kaffirs (six times), with the Boers (twice), with the Arabs at Aden, with China (three times), with Coorg, with the Rajpoot States, with the Afghans (twice), with the Ameers of Scinde, with the Mahrattas, with the Sikhs (twice), with the Sonthals, with the New Zealanders (four times), with Greece, with the Dyaks, with Russia, with Persia (twice), with Siam, with Nicaragua, with Japan, with the Malays, with the Zulus; besides civil conflicts with our own subjects in Canada, in Jamaica, in the Ionian Islands, in Ceylon, in India, and in Ireland, and an indirect share in the revolutionary wars of Spain and Portugal. But that is not all. In 1864 there was a Parliamentary Paper published, giving a list of the little wars in which we have been engaged in India since the annexation of the Punjaub. I have got all the names here, but I will not inflict them on the House. They amount to 20. But since then, there have been at least three more with the Afreedees, the Bezotees, and the Sitana fanatics. And we have had something very like war with the King of Dahomey and the Sultan of Zanzibar. But, without including them, or our share in the wars of Spain and Portugal, I find that we have been engaged in 73 wars in 63 years; and that is pretty well for a country that is said to be in danger of being corrupted by the Peace-at-any-price Party. Within the same period we have spent £1,300,000,000 sterling in wars and in preparations for war. Of course, it is the fault of all those people whom I have enumerated. We are told, with re-iterated emphasis, that we are an eminently amiable and pacific race. We never encroach on other people's rights. We never invade other people's territories. Still, there is a vulgar prejudice in society, that when you find a man always getting into loggerheads with his neighbours all round, it affords some presumption that he is himself of an arrogant and quarrelsome disposition. No, it is not the love of peace which is dangerous to a nation; the danger to a country arises when men in high places, and who exercise necessarily great influence upon the character, as well as upon the destinies, of a nation, take such a course as is calculated to deprave and demoralize the public sentiment by habitually tampering with the truth, by exciting a rowdy war feeling through artful appeals to the lowest passions of the lowest classes of the people, by erecting national selfishness into a supreme rule of State, and by a cynical and habitual disregard of those eternal principles of justice and truth and morality on which, I believe, God governs this world, and the recognition of which forms the only secure and lasting foundation on which national prosperity can be built.

Mr. JACOB BRIGHT said, that as no one rose from the front Ministerial Bench to answer the speech of his hon. Friend the Member for Merthyr (Mr. Richard), he presumed it was unanswerable; indeed, he thought that hon. Gentlemen opposite must have found great difficulty in combating the arguments which had been brought forward. The defence of the Government that evening had fallen on the shoulders of the First Lord of the Admiralty, and he had endeavoured to induce the House to believe that so large an amount of money had not been expended as was supposed, and that the Expenditure which had been incurred was inevitable. There were, however, certain facts in connection with the subject, of which it was impossible to get rid. When the present Ministry came into Office five years ago, they found themselves possessed of a large Surplus, partly from a national increase of prosperity and partly from good management on the part of the then Administration; but all this had been spent by the present Government, together with the annual accumulations of Revenue, and they were now some £5,000,000 in arrear, £100,000 of which would have to be contributed by his constituency. That sum, if spent upon local improvements, would add greatly to the comfort and the convenience of the working classes residing in that great city. It might, of course, have been shown that the Government had some great Expenditure to meet, but no such case had been made out. In his opinion, the increased Expenditure of the present Government had arisen in a considerable degree from war, and preparation for war. But where was the advantage which they had gained from that policy? In South Eastern Europe the Government had given all its influence to a State which was doomed to inevitable decay, and it had done what it could to discourage, if not to put down, the only races in that part of the world who appeared to be capable of freedom, or of taking their share in the race of civilization. Its next step was to go to Afghanistan; but since the beginning of the war with that country, no hon. Member of either House of Parliament had given a satisfactory reason for that war. He defied any hon. Member to point to any speech delivered in the House which would prove that they were justified in going to war with that country. It was pitiable to read the accounts of our contest with a people who ran before our troops like a flock of sheep. For every English soldier killed fully 100 Afghans fell. We did not go to Afghanistan, therefore, because we feared the Afghans; while the Prime Minister himself had spoken at the Mansion House of an invasion of India by the North-Western Frontier as impracticable, an opinion in which he was supported by the high authority of Lord Northbrook. If that was the case, he (Mr. Jacob Bright) could not see the use of the present campaign. Well, that was not all. We were now incurring a great expenditure in South Africa, where there were only about 300,000 Europeans, of whom he believed only something like one-fourth were English or of English descent. If he wanted to show with how little wisdom the British Empire was governed, he could point to nothing which would so conclusively show it than the condition of things in that part of the world. Our great Colony there, he might add, had, as a Colony, been a great failure; and although the Cape used to be a very important place of call for our ships, its importance had, since the opening of the Suez Canal, to a great extent passed away. Yet, from some fatality, we were pouring million after million of money into that Colony. It was not only a waste of money. He could not read the telegrams and despatches which came to this country, telling of the fall of soldiers and officers, without a feeling of pain for the waste of life, which, he was sure, was shared by every hon. Member of the House. If these men fell in a great cause, or in defence of their country, they knew that even the nearest relatives would be reconciled to their loss; but when they fell in a wretched war, which was not only useless, but grossly unjust, there was not alone the intense pain of their loss, but the added feeling of bitterness that such an injustice had been placed upon them. Turning elsewhere, he found that Spain had set herself in opposition to us, while Germany was making it more difficult for us to trade with her, and Canada was turning her back upon us. It might, indeed, be said that the Government could do nothing with respect to such matters as the arrangement of tariffs; but there was a strong suspicion among commercial men that its Members were so engrossed in exciting occupations in all parts of the world, that they had no time to attend to the necessities of trade. As to India, with its impoverished and suffering peasantry, what it required was not annexation, but less expenditure and less taxation. What had been the effect of the remission of duties in past times by Liberal Governments? It had been to give the country greater freedom and accompanying prosperity of trade year after year. Another effect had been a great increase in the population of the country, and that with a corresponding increase of ease and comfort. He quite admitted that there might be a great increase of population even in times of great depression; but what he pointed to in the instance to which he referred was, that the people increased in prosperity as they increased in numbers. From 1849 to 1874, there were added 6,000,000 persons to the population of England and Wales. In the former year, we had 1 pauper to 18 of the population; in the latter, there was only 1 to 28; and that was a very striking and suggestive fact. The belief on that side of the House was that, at least, £5,000,000 a-year had of late years been spent which might have been saved; and, if that were so, he asked the House to think what an effect such a saving would have had upon the happiness and well-being of the people of the country. They might have abolished the tea duty, or modified the wine duties, so as to enable them to have advantageous arrangements with the Continental countries. Whenever taxes, and especially Custom duties, had been reduced or abolished, they invariably had an increase of trade, and a greater number of people able to live within our own borders and with greater comfort. He could not help thinking that if the country had such statesmen as they desired to govern them, ten times more attention than at present would be paid to their comfort and welfare. The present Government seemed to be quite content with the results of their own policy; but it appeared to him that their foreign policy was foolish, senseless, and cruel, and that their home policy was a policy of taxation and debt. The population of the country was increasing; and he asked, could any man say that the trade and industry of the country were growing in proportion to the increase of the population? If such were not the case, whence where the means of the livelihood of the people to come? The outlook was alarming. He believed that the Minister who, in such circumstances, added to the already enormous burdens of the people was not a wise or patriotic Minister, and was not alive to the best interests of his country.

MR. RITCHIE observed, that the hon. Gentleman who had just spoken had entirely ignored the speech of the right hon. Gentleman the First Lord of the Admiralty. The hon. Member had stated that the Government had increased the Expenditure of the country by £5,000,000 a-year, whereas the right hon. Gentleman had conclusively proved that the sole increase had been in the expenditure for the Army and Navy, and amounted only to £1,500,000; and a great portion of that sum, it would not be difficult to show, was entirely due to the measures of the late Government. Something had been said to the effect that the speech delivered by the hon. Member for Merthyr (Mr. Richard) had not been answered. Why should it be answered? That speech had not been intended for this debate at all. Probably it had been meant for the Zulu War, the Afghan War, or some other war. The hon. Member had found an opportunity for delivering that speech, and had taken it from its pigeon-hole for use on this occasion. That being so, he should not attempt to follow it. To discuss the policy of the war in South Africa, or that in Afghanistan, would require more time than Her Majesty's Government would probably be inclined to grant; but he congratulated the Government that at last the question of National Expenditure had been transferred from platforms in the country to the floor of the House, where the reckless statements indulged in outside could be sifted and probed. Hon. Gentlemen opposite had been lavish of late in the amount of dirt they attempted to throw at the Government up and down the country. They had prophecied that the action of the Government in reference to the Treaty of Berlin would not be justified by the result. In that they had been deceived. In like manner, their dismal forecast as to the Afghan War had been falsified. He ventured to think that their gloomy prophecies with regard to the effect produced upon the country by the financial policy of the Government would also remain unverified. The speech of the right hon. Gentleman the First Lord of the Admiralty had proved that the accusations made against the Government with reference to the financial part of their labours were altogether unfounded. Resolutions of such a grave nature, and covering so much ground, had never been introduced into this House by a more unsubstantial and unconvincing speech than that of the hon. Member for Burnley (Mr. Rylands). The hon. Member had travelled all over the globe, yet failed to touch the subject of the Resolutions he had placed before the House. His personalities about Lord Beaconsfield only showed how weak he considered his case to be. The hon. Member had set out with the expression of an intention to disregard figures, yet no subject ever required the introduction of figures more than the one under the consideration of the House. He (Mr. Ritchie) supposed that the hon. Gentleman did without figures because he found that they would not answer his purpose. As to the figures which the hon. Member did quote, they were wrong to the extent of £5,500,000. The right hon. Gentleman the First Lord of the Admiralty had accounted for all the extra Expenditure, and showed that after deducting what was not in reality Expenditure, the only extra sum for which the Government were responsible was £1,500,000 distributed over the Army and Navy. The right hon. Gentleman might have alluded, in order to do himself full justice, to the great expense caused by the short-service system, which was bequeathed to the present Government by their Predecessors. Some exception had been taken to the increased amount spent on education, and the Government had been blamed for passing a Bill by which the grants to voluntary schools were made somewhat larger than before. He (Mr. Ritchie), however, thought that this Act had done more than anything else to decrease the amount of the education rates, as except for the grants on results made under the Act there would have been an end to a great many voluntary schools—a state of things which must have resulted in an increased cost to the ratepayer. In a speech delivered before his constituents at Knottingley, the right hon. Member for Pontefract (Mr. Childers) had maintained that the amount of the grants in aid of local taxation was owing to the policy of the present Government—the truth being that those grants were made in consequence of the action of the last Liberal Parliament. The right hon. Member for Pontefract had next impressed upon the artizans of Knottingley how much better it would have been for the £10 householder if the £2,000,000 applied for the relief of local taxation had been spent in another manner—for the removal of the tax upon tea, for instance. But was it certain that the Liberals, had they come into power after the last Election, would have taken off the tax upon tea? No indication to that effect was to be found in the manifesto of the late Prime Minister when he dissolved Parliament. The bait then held out by the Liberals was the abolition of the Income Tax, and the abolition of that tax would not have affected the £10 householder at all. It would, however, have done this—it would have rendered it impossible for the Government to take off their indirect taxation, and quite impossible for them to take 3*d.* off tea. Had a Liberal Government, therefore, been placed in power, the artizan at Knottingley would still have had to pay his 10*s.* for tea and 2*s.* 6*d.* for local taxation, a charge from which he had been relieved by the present Government. And he would also have had to pay his 10*s.* for sugar, a charge from which this Government had also relieved him. Another matter to which the right hon. Member for Pontefract referred in addressing his constituents was the large amount by which he said the Liberal Government had decreased the National Debt—namely, some £30,000,000, between 1869 and and 1874, but the right hon. Gentleman did not profess to go elaborately into figures in support of his statement. In that Estimate, however, were included various large sums which could not be claimed at all as reductions of the National Debt. One was a sum of £6,000,000 of Stock, which was cancelled, not from any savings on the part of the Liberal Government, not even from any surplus, but from money in the hands of the Court of Chancery and the Court of Bankruptcy, on the ground that it would not be claimed, an obligation being undertaken to pay if the balance fell below a certain sum. However good an operation that might have been, it was rather a bold thing on the part of the right hon. Member for Pontefract to claim it as a payment towards reducing the National Debt. It had no more to do with the action of the Liberal Government than it had to do with the action of Cetewayo. There were other sums which the late Government claimed as reductions of the National Debt on no better grounds. An examination of the figures would show that, while the late Government, between 1869 and 1874, reduced the Debt by £20,000,000, the present Government had since that time effected a reduction of £19,250,000, the one reduction being made in a time of great national prosperity and inflation, and the other in a period of considerable depression, coupled with bad trade and bad harvests. Then, it had to be borne in mind that, besides reducing the National Debt by about £19,000,000, the present Government had paid about £10,000,000 more than their Predecessors in aid of education and the relief of local burdens. It was said that the present Government had increased taxation by about £1,500,000; but the amount was only in fact £1,000,000, as the right hon. Member for Pontefract had omitted the exemptions of the Chancellor of the Exchequer in the lower scale of Income Tax, which amounted to almost £500,000. Even £500,000 out of this £1,000,000 was really no taxation at all, as the price of tobacco to the consumer had not been raised, the cost of the raw material having fallen to about the same amount as the additional taxation. One of the Resolutions which had been put on the Paper by the hon. Member for Burnley asked the House to affirm—

> "That the Taxes required to meet the present Expenditure impede the operations of agriculture and manufactures, and diminish the funds for the employment of labour in all branches of productive industry, thereby tending to produce pauperism and crime, and adding to the local and general burdens of the people."

It was not, however, sufficient to show that the country was passing through a period of great depression, in order to prove that the present Government were responsible for the existing state of things. The bad trade, which every one now deplored, was not due to anything which had or had not been done by the Government, but was a re-action naturally and almost inevitably following upon the inflation of former years. Though the hon. Member blamed the Government for causing an increase of pauperism and crime, he had not blamed it for causing bad weather and disease, like some people out-of-doors. It was, he (Mr. Ritchie) contended, unjust to charge the Government with the badness of trade; and as to the increase in pauperism, they must not forget the severe weather of last winter, which put a stop to out-of-door employments. To say that the pauperism and crime of the country had increased in consequence of taxes levied by the present Government was clearly inaccurate, because an examination of the Returns would show that, in 1871, with a taxation and expenditure of only £70,000,000, the number of paupers was larger by 25 per cent than in 1878, and the number of criminals had remained about stationary. He could also show that the Revenue derived from the population was in 1873 and 1874, £2 8*s.* 2*d.* per head; in 1878-9, £2 8*s.* 9*d.*; and it would be in 1879-80, £2 8*s.* 1*d.*, or 1*d.* less than in the last year of the so-called economical Government of the Liberals. In these latter years, the Revenue was swelled by interest received on local loans and interest on the Suez Canal Shares, which was merely a debtor and creditor entry. It was also swelled by about £2,000,000 necessary for the payment of Local Charges now borne Imperially. If these items, which did not increase taxations, were deducted, the amount of Revenue per head was, in 1878-9, £2 7*s.* 2*d.*; and in 1879-80, £2 6*s.* 6*d.* per head, compared with £2 8*s.* 2*d.* when the Government came into Office. Then, if they compared the Expenditure of the late and the present Governments, they would find that, while in 1874 the amount per head was £2 7*s.* 7*d.*, in 1878-80 it was only £2 3*s.* 6*d.* This, of course, was the result, after deducting the sums for local taxation and education, which were now included in the Budget, and which must be deducted before a proper comparison could be made with the Expenditure of 1874. He thought he had now shown that the charge advanced by the hon. Member was not sustained against the Government, and that the Resolution ought to be rejected.

Mr. DODSON said, the right hon. Gentleman the First Lord of the Admiralty, in the speech which he had addressed to the House earlier in the evening, to which they had all listened with the greatest interest, had given an assurance that Her Majesty's Government were most anxious to tread in the paths of peace, retrenchment and reform. But he (Mr. Dodson) believed it would appear to the House that, assuming the Government to be animated by the motives stated by his right hon. Friend, they had been singularly unfortunate in the pursuit of their object. They had been told that the depression of trade was in no way to be attributed to the policy of the Government, or to the taxation imposed by them; and the right hon. Gentleman had implied that an adverse condition of trade, and a prosperous condition of trade, were alike independent of the policy of Governments. But no man, in his opinion, would deny that a prosperous trade might be retarded, and an adverse trade aggravated, by the policy of Governments, and that state of alarm and uneasiness which it might give rise to in regard to war. They were also told that taxation had no effect upon the depression of the country; but he would, upon that point, recall to the House the statements of the Chancellor of the Exchequer, that his reason for shrinking from imposing additional taxation to meet his deficit was furnished by the circumstances in which the country was placed. The First Lord of the Admiralty proposed to institute a comparison between the Expenditure of the late Liberal Government and that of the present Government, and had selected for the purpose the Estimates for the year 1874-5 and the year 1879-80. He (Mr. Dodson) demurrred *in limine* to the years of which his right hon. Friend made his comparison. The Liberal Government were not responsible for the Expenditure of the year 1874-5. They were not even responsible for the Estimates of 1874-5; for when they went out of Office they left nothing settled, but only inchoate Estimates in the various Departments. The responsibility for the Estimates of 1874-5, and the Expenditure of that year, rested with the present Government. But Estimates, as everybody knew, were not secure tests of Expenditure, and Budget Estimates, under the present Government, afforded no *data* for calculating the yearly Expenditure. In connection with that matter, he would like to tell the House what had been the Supplementary Estimates, exclusive of Votes of Credit and of the purchase of the Suez Canal Shares, under the present and late Governments respectively. Under the late Government the average of the Supplementary Estimates introduced in the course of the financial year, in addition to the Budget Estimates, was, on the four years, £527,000; and the average amount of Supplementary Estimates, introduced by the present Government, in five financial years of Office which they had completed, was £1,746,000. In view of such financial laxity, we could not assume, with the First Lord of the Admiralty, that the Estimates for 1879-80 afforded any basis on which reliance could be placed in calculating the Expenditure for the year. By a comparison which he made of the two years selected by him in that manner, he argued that the increased charge of taxation was £6,477,000 under the present Government; but the right hon. Gentleman ignored that there was another growing Revenue derived from other sources than taxation, which had increased within the last few years from £10,000,000, according to the Return from which he quoted, to £12,500,000, or, perhaps, it would be more correct to say, £13,000,000 sterling. In making a comparison of the Expenditure under the late and present Governments, he would follow the example of his right hon. Friend and claim the privilege of selecting his own years. In doing that, he would not take the years 1873-4, nor 1874-5, because the first of these was a divided year between the two Governments, and the second was the first year of the present Government; but he would select the last year in which the Liberal Government had undivided responsibility for the Expenditure — namely, the year 1872-3, and would compare it in respect of actual Expenditure with that of the year just completed, 1878-9. The ordinary Expenditure in the last year of the Liberal Administration in which they had undivided responsibility for the Expenditure, including £946,000 for the abolition of Purchase in the Army was £70,714,000; the ordinary Expenditure of the present Government in the year 1878-9, including £500,000 for the abolition of Purchase, and after making a reduction of between £700,000 and £800,000 for items which had been added to both sides of the account, and, therefore, fictitiously swelled the totals of both Revenue and Expenditure, was £80,000,000, or an increase of more than £9,000,000 in the ordinary Expenditure, between the last year of the present Government and the last year of the Liberal Government. It was not, however, sufficient merely to compare the ordinary Expenditure of one year with that of another; a comparison must be also instituted to ascertain what was the total Expenditure, because, without that, one could not appreciate the cost of the policy of the Government in conducting the affairs of the country. Take the total Expenditure of the Liberal Government in the last year, 1872-3, in which they had undivided responsibility; it amounted to £71,700,000; whereas the total Expenditure of the present Government in the year 1878-9, after making a deduction as before of amounts which swelled the total on both sides, amounted to £84,500,000, or an increase, in round numbers, of £13,000,000. And even if they gave the last Government the sole responsibility for the divided year 1873-4, and reckoned the cost defrayed in that year of the Alabama Award and of the Ashantee War, the Expenditure had been greatly exceeded. The right hon. Gentleman had gone on to explain how the Expenditure of the present Government had been incurred, and where it went; and, first of all, he said we were paying £2,000,000 a-year more for the reduction of the National Debt. But he forgot that they applied to the creation of Terminable Annuities £500,000 or more of interest on local loans which, before they came into Office, was not treated as interest or part of the Revenue of the year, but as capital to be placed to the balances in the Exchequer. Notwithstanding this increase of the Terminable Annuities, and the creation of the much-vaunted New Sinking Fund, the total of the National Debt had in the last four years been increased by a net amount of upwards of £2,700,000. If the Government reduced the Debt with the one hand and increased it to a larger amount with the other, as they had done, the operation was very like a sham, and was, moreover, mischievous in itself, because there was necessarily incurred the expense of carrying it on. The right hon. Gentleman had proceeded with great satisfaction to enumerate the other items to which the increased Expenditure applied—apparently thinking it was quite enough to mention those items to dispose of any charge of extravagance. He had said that they were spending £1,500,000 upon education more than the late Government, and added that such expenditure would shortly be re-considered. There could be very little doubt that the expenditure in question had been carried on with considerable laxity by the present Government, and that, instead of being re-considered shortly, it ought to have been re-considered before. Again, he said that £2,000,000 had been granted in aid of local taxation; and in that case, also, he (Mr. Dodson) maintained that a firm hand had not been kept upon the grants, which had been made in a manner to stimulate local expenditure rather than to check it. Then, he said, quoting this year's Estimates, that something under £2,000,000 was added to the cost of the Army and Navy. Of course, no fault could be found with that; and, again, that £602,000 more would be spent upon the Revenue Departments; but then he stated that the Revenue Departments earned more. In connection with that, he (Mr. Dodson) again reminded the Government that this increase in the earnings of the Revenue Departments was so much added to the Revenue of the country and spent by the Government. The right hon. Gentleman, proceeding in this quiet way to enumerate the various items of Expenditure, and appearing to think that the mere enumeration of them was a sufficient explanation, would seem to be in the position of a private gentleman who, when told by his steward that his expenditure had been increasing of late years, and that unless he checked it he would get into difficulties, replied—"It is quite true; but so much has been spent on the garden, so much on the stable, and so much for keeping my son at the University; and then there is so much for charity, which you surely cannot blame me for; while the rest has been spent on the home farm, which I hope will produce more income in consequence." Hon. Members all knew what would be the result of that. And if the Government went on spending money, getting into debt, and contenting themselves with pointing to the objects of outlay, and saying that they were good and laudable, without attempting to keep any check upon their Expenditure, they would soon find themselves landed in very considerable difficulties. Speaking of the increased expenditure of the Army and Navy, the right hon. Gentleman had endeavoured to justify it by pointing to the joint expenditure last year of five great Continental nations upon their Armies and Navies, which he said amounted to £97,000,000. If that sum was divided amongst the nations alluded to, it amounted to less than £20,000,000 a-piece. But what was the cost of our own Army and Navy? If we added to the £25,000,000 which was spent upon our armaments the cost of the Indian Army, which was £17,000,000, it would appear that we spent just about double the average expenditure of those great Continental nations. The fact was that Government were trying to reconcile three incompatible things. They wanted to have an active, sensational, and blustering policy abroad, easy taxation at home, and, at the same time, a character for high financial virtue. The Chancellor of the Exchequer, in endeavouring to reconcile those three incompatibilities, was at his wits' end. He would not pay his way as he went, for he said that would be heroic, besides being unpopular and ridiculous; nor would he fund his debts, for that would not be virtuous. So he had hit upon a *vid media*, and said—"I will not pay my debts; I will keep them in sight." In this respect the Government were like the ancient Egyptians, who introduced a mummy at their banquets to remind them of their mortal end, although the recollection of the debt of nature which they would have to pay would seem to have had no particular effect in checking their appetites and indulgences. Still less was it to be expected that the sight of debts which could be postponed at pleasure would have a great effect upon the action of the Government. Last year the Chancellor of the Exchequer had proposed to spread the expenditure in connection with Turkey over three years, trusting that nothing would happen during those years to prevent his paying it off. But the principle of trusting that nothing would happen, and then spending income up to the hilt, was a very risky one in a private establishment or in an Empire. It was doubly risky for this Government, and for the Chancellor of the Exchequer, who had Colleagues and Agents all over the world, imbued with notions in favour of a spirited foreign policy, and who were nothing loth to find opportunities for making history in different parts of the globe. Contrary to his expectations, something had happened last year. It was not the revival of trade. It was first the Afghan War, and next the Zulu War; and so the scheme of the right hon. Gentleman was scattered to the wind. But he was nothing daunted; he began *da capo*, and, still preserving the great principle of keeping his debts in sight, postponed them a stage further. Meanwhile, for the present year, he had stated that there was an estimated surplus of £1,900,000; but, seeing that he had unpaid Bonds to the extent of £5,350,000, he (Mr. Dodson) thought it would occur to most mortals to say that he had a deficit of more than £3,000,000. But, setting aside the £4,750,000 Bonds for the Turkish Expenditure, had the right hon. Gentleman a surplus in any natural sense of the term? It was necessary to set the Bonds for £600,000 for cost of the Zulu War against the estimated surplus, which would be thereby reduced to £1,300,000; and against that there was the unascertained and unestimated cost of winding up the war. The fact was, the right hon. Gentleman had a margin for War Expenditure over his ordinary Expenditure; and hoped, if he had no supplementary Expenditure, it would be sufficient for that purpose. But that could not be considered, in any sense of the term, a surplus. In connection with the subject before the House, he desired to say a few words upon the large amount of the floating Debt, or, if the right hon. Gentleman objected to that term, he would call it the unfunded Debt, which amounted to between £24,000,000 and £25,000,000, and which, if they were to have loans for India, and further amounts as advances to local authorities, might reach the sum of £30,000,000 by the end of the year. Did the right hon. Gentleman suppose there was no cause for uneasiness in that fact, because £11,000,000 or £12,000,000 of Exchequer Bonds were not in the hands of the public, but were held by the National Debt Commissioners, and that, therefore, no inconvenience could arise? Was he prepared to say there was no inconvenience in having an unfunded Debt of more than £15,000,000 or £20,000,000 in the hands of the public? He (Mr. Dodson) would remind him of what happened in January last, when the Government had to go into the market and pay 4 per cent for three months' bills. Again, the Chancellor of the Exchequer had said that part of the unfunded Debt was incurred for making advances to local authorities, that the transaction was a profitable one, and that they were making income by that proceeding. But it was very dangerous and undesirable for the Government to embark upon that course to a large extent, because they might have calls made upon them, and be obliged to borrow money, for the purpose of renewal, at a high rate of interest. Again, there was the chance of bad debts—by no means an imaginary danger—for he well remembered that when he had the honour of being Chairman of the Committee on Public Accounts, the Controller and Auditor General brought under the notice of the Committee that the country had lost money, amounting to very little less than £3,000,000, by loans to local authorities. In addition to this, there was the inconvenience to the Government of advancing money which was repaid to them only in driblets, whereas it would otherwise increase the balance in the Exchequer and be at their own command. He would not criticize the Estimates of Revenue further than to say that they were cautiously not based upon any anticipations of the revival of trade. The right hon. Gentleman had estimated a decrease of £445,000 for Customs and Excise, and an increase of £540,000 for Income Tax, which was less than the estimated amount of the uncollected arrears of the new 2*d.* for the year 1878-9. The only branch of Revenue on which he anticipated any substantial advance was the Stamp Duty, for which he estimated an increase of £110,000; but that, as he informed the House, he expected to receive, not from those stamps which represented the prosperity, but the mortality of the country. The condition of affairs, both financially and commercially, appeared to be very serious, and it would seem that the right hon. Gentleman the Chancellor of the Exchequer did not rise to the gravity of the situation, and was not prepared adequately to grapple with it. It happened that a state of things not dissimilar to the present existed at a former period of our history, within the present century; and he held in his hand a work which gave some description of affairs at that time. Without quoting the words, he would give a fair summary of that portion of the work which related to the period in question. It appeared that there was then a deficit, actual and prospective, of £4,819,000. There were arrears, not altogether estimated, for hostilities in the East; recent events in Afghanistan were likely to necessitate further expenditure; the state of Indian finance was serious, and it was apprehended that if the credit of that country became disordered, the credit of England must in some way have been involved to support it; in the preceding year Customs and Excise had disappointed expectations; the shortcomings following upon a well-meant attempt to obtain a balance by an addition to taxation; the Whigs had been in Office several years, and had become unpopular; they had mismanaged the finances, and there was distress in the country; they had increased the Naval and Military Expenditure by several millions; they had brought us to the brink of a war with France; to actual war with China, and to a struggle with Afghanistan; besides having to deal with difficulties in Canada, and Chartist riots. If for "Whigs" the House read "Tories;" for "China" "Zululand;" and for "France" "Russia," they would have a description singularly apposite to the present situation. It was true we had not the Chartist riots on hand; but there were other difficulties in the present state of affairs which did not exist at the period referred to. We had difficulties in Egypt, Roumelia, and Burmah, besides a dormant war in the Transkei. But how had the Minister of the day dealt with the former troubles? On that point, he would quote the actual words of the writer, who said—

> "The Minister came down to the House; he swept away all idea of meeting the difficulty by financial nostrums, disguised loans, application of savings bank funds, issue of Exchequer Bills, or any other expedient for easing off the crisis."

The writer then stated how the Minister made a strong appeal to Parliament to support the public credit and proposed to grapple with the difficulties. The period referred to was the year 1842; the Minister was Sir Robert Peel, and the author of the work which he (Mr. Dodson) had quoted was Sir Stafford Northcote. He recommended the Chancellor of the Exchequer to study his own work, to read, mark, learn, and inwardly digest the words which he had written, and the way in which Sir Robert Peel had dealt with circumstances so singularly analogous to the present. The First Lord of the Admiralty had said that our first duty was to make the country secure, and that the expenditure for that purpose should not be grudged. He (Mr. Dodson) was sure no hon. Member would grudge the expenditure which might be necessary for that purpose; but what they did grudge was an expenditure made use of for the purpose of placing this country in the position of an aggressive Power, and exercising a turbulent influence in Europe and other parts of the world. The First Lord of the Admiralty had said that the name of England was more respected now than it was in former times; but with all due respect to the right hon. Gentleman, he ventured to question that statement. He very much doubted whether the last few years of foreign policy, with its successive fits of irresolution, panic, bluster, and irritation, and in which we had deferred payment of the expenditure which this policy involved, had been so very much calculated to raise the name of England abroad. It appeared to him that the name and reputation of England would have been more respected, and much more likely to be raised, by the exhibition of a calm consciousness of, and deliberate confidence in, our own strength and resources, than by a policy of bombast, menace, and provocation.

Mr. SCLATER-BOOTH congratulated the last speaker on having brought the discussion down from the height at which it began to the level of a discussion on going into Committee of Ways and Means, which the House had more reason to expect. He did not complain of the comparison between the Expenditure of the Government for the current year and that for the year which the right hon. Gentleman had selected, because the Government admitted that, for one reason and another, the Expenditure of the country had increased during their term of Office. The Chancellor of the Exchequer the other day, and the First Lord of the Admiralty that evening, had sufficiently analyzed and exhibited the items of the increased Expenditure; but neither the House nor the country cared to make an invidious comparison between one year and another. They would be willing to accept the candid admission of the Government that the Expenditure had increased, and would be thankful that, in spite of all adverse circumstances, there was such an increase in the current Revenue that it met these largely increased charges and provided a surplus of nearly £2,000,000. The country knew that the increased Expenditure of the last five years had either been forced upon the Government, or had come upon it in the natural course of events. The country knew that the Government had remitted some taxation and had imposed some, but only slightly in excess of that remitted. In spite of bad times and the depression of trade and commerce, the growth of the population and of the resources of the country had been comparatively unchecked, and a Revenue of £83,000,000 was now raised without any perceptible pressure. These comparisons, which were not made now for the first time, did not affect the opinion and determination of the country, which was conscious of its responsibility for supporting the Government im the policy they had pursued. It was true that Expenditure must follow policy; but policies were forced upon Governments by the course of events, and were not made by Governments. The Government was not responsible for the troubles which had occurred in the Provinces of Turkey, nor for the armaments and attitude of the European Powers. In spite of all the comparisons that could be made, the country was satisfied, as it had shown on many occasions, that the Government had done its best in the difficult circumstances in which it was placed, and it was gratified that the Public Services had been maintained with so slight an addition to the burdens of the people. The 1st Resolution, upon which it had been announced that a Division was to be taken, said that the House viewed with regret the increased National Expenditure. That was a proposition to which all men would be likely to give in their adhesion; but of all men the most likely to assent to it in its pure and simple meaning were the Members of Her Majesty's Government. The Resolutions attacked the Government, not only for their Expenditure, but still more for their Expenditure as compared with the Ways and Means of the year; but speakers had carefully avoided the latter part of the question, because it did not suit their convenience to advocate increased taxation this year. The right hon. Gentleman had hinted that increase of taxation was the course that ought to have been pursued; but little was heard on that point from the hon. Member for Burnley. The 1st Resolution was a skilfully contrived manœuvre to catch votes. The House, however, would not shut its eyes to the language of the Resolution or the meaning which underlay its words. The word "regret" in the Resolution was an ambiguous term; it was not regret that was meant—it was censure of the Government for the Expenditure of the year; but if there was to be censure, it must fall upon Parliament for its support of the policy of the Government, and not only on the present Parliament, which had directly sanctioned the policy of the Government, but also on the late Parliament, which had sanctioned measures leading to the increase of permanent charges, and also on the people out-of-doors, who had shown such willingness to support the Government in its policy. The right hon. Gentleman evidently felt that we must look, not so much at the Expenditure, as at the Expenditure compared with the means of meeting it. It was said by hon. Gentlemen opposite that the taxes and Revenue of the year ought to be equalized. He was not about to deny that, by the enforcement of that proposition, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had done much for the Public Service, and brought about many reforms in the financial system of the country. But he thought they might carry that principle too far. It was a very desirable principle to raise the Revenue of the year to meet the charge of the year on all reasonable occasions;

but he thought there were other occasions when having to meet a charge of, say £5,000,000 of an extraordinary charge, it might very well be advisable to provide only one-half of it from the taxation of the year. He therefore believed the common sense of the country would support his right hon. Friend the Chancellor of the Exchequer in the course he had taken. He had provided one half of the semi-war expenditure of the country out of the taxes of the year, and proposed to hold the other £5,000,000 as a sort of suspense account. If it had not been for the unmitigated calamity of the outbreak of the Zulu War, no one would have ventured to challenge the proposals of his right hon. Friend. With the existing taxation of the country they would have had a surplus of £2,000,000, which would have been sufficient to meet all the charges for the year, and to extinguish a portion of the Debt of £5,000,000 previously assigned to it. But it appeared to be the wish of hon. Gentlemen opposite that every taxpayer should feel, when he bought any particular article, that he had to pay so much more for it in consequence of the disturbances in Roumelia. Even the late Government, however, were not altogether guiltless in this matter. It was not so long ago that the Chancellor of the Exchequer in Lord Palmerston's Government pursued a course with respect to fortifications hardly different from that which was now challenged. Why was the expense of fortifications not to be made an annual charge? For many years, a sum averaging £400,000 or £500,000 was spent on the fortifications of the country, the whole amount being withheld from the public view by a system of Annuities which was nothing but a system of hocus-pocus, to prevent any re-action of public opinion putting a stop to the systematic expenditure of a large sum of money. But as far as the taxpayers were concerned, it was the same to them whether the money was raised by Terminable Annuities payable at the end of 30 years, or whether £500,000 a-year was paid out of the Revenue. He wanted to know what difference there was between the course of procedure taken by Lord Palmerston's Government, and the course of the present Government? His right hon. Friend, out of the Vote of Credit last year, had purchased three or four iron-clads, which had added enormously to the power of the country, and that policy had met the entire approval of Parliament and the country. He (Mr. Sclater-Booth) admitted that, as a rule, it was unwise to draw a distinction between ordinary and extraordinary Expenditure; but he thought that in the present case such a course was allowable, especially considering the peculiar circumstances of the country. Considering the disturbance which was always created even by the prospect of any increase in taxation, he could not but feel that the line which had been taken by the Government was in every way the judicious course. It was very easy 40 or 50 years ago, when everything was taxed, to raise or diminish taxation. But now there were only two or three sources of taxation available. Some two years ago, he troubled the House at some length in commenting upon the extraordinary fuss made in the public journals at the prospect of an increase of a penny in the Income Tax. As he pointed out at the time, they had repeatedly within his own experience, without the slightest reluctance or remorse, added charges to the local rates which amounted in the gross to more than a penny in the Income Tax. His right hon. Friend (Mr. Dodson) had adverted to the policy of the present Government in investing money in local loans. But the right hon. Gentleman should have remembered, in connection with that subject—what he did not appear to recollect in the course of his observations—that many of the most important Statutes in our time had been, as it were, run through the House of Commons by the aid of that policy. In the passing of the Education Act, the Artizans' and Labourers' Dwellings Act, and other important measures, no objection had been taken to the principle that advances should be made. Then, again, when they came to examine what was called the floating Debt of this country, it appeared to him that some hon. Gentlemen were apt to forget how large a portion was embarked in advances for local works. The floating Debt was about £5,000,000 when the present Government acceded to Office; it was now something like £25,000,000. Of that sum, £5,350,000 was a *quasi*-war loan, and stood in those Exchequer Bonds which were to be paid off, and not added to the National Debt. The balance of about £16,000,000 was the sum of the advances to local authorities. The advances were more; but that was the amount advanced by the present Government for this particular purpose. It had been already stated that these sums were not Debt at all, but capital outstanding; and if the mortgages were properly executed, there was no risk of loss in that quarter. The right hon. Gentleman opposite (Mr. Dodson) had ascribed the *quasi*-war expenditure to the blustering policy of the Government. He (Mr Sclater-Booth) maintained that there had been no blustering policy at all. The Government had certainly been most unfortunate in having imposed on them the necessity of raising the charges of the Budget from year to year; but with regard to the mode in which that had been done, he said that £5,000,000, which was the sum of money that had been spent on those war charges, was by no means an immoderate sum to be what he would call held in suspense. Then, as to the increased subventions, the right hon. Gentleman stated that they led to local extravagance and were of no utility whatever. That was not the case. He could show that so far as the Police Service, for instance, was concerned, the subvention given by the Government had led to increased efficiency. To see what good the subventions had done, a distinction must be made between two classes of rates. The subventions given by the Government, compared with the local burdens which they were designed to mitigate, amounted to about one-sixth of the whole. The charges on rates to which he alluded amounted to £11,000,000 a-year. It was said that the subventions led to increased expenditure. The subvention with which he had most to do was the subvention in aid of pauper lunatics. It was said that, in consequence of this assistance of 4*s*. per head given for pauper lunatics—the whole amounting in the present year to the large sum of £395,000—the guardians in the workhouses would send lunatics by troops into the asylums, and so rob the Exchequer. That was not the truth of the case at all. He held in his hand the figures showing the numbers of the lunatics in the asylums from 1873 to 1878, inclusive, and he was sorry to say that they showed an increase of something like 1,200 or 1,500 patients every year. When he came, however, to examine the numbers of lunatic paupers in the workhouses, he found that they likewise showed a continuous and constant augmentation. Therefore, the increase of this Vote was due partly to the real increase of lunacy in the country; and under no circumstances could it be said to have been caused by the guardians improperly sweeping into asylums paupers whom they ought to take charge of in the workhouses. Sometimes it was imputed to the Government that these subventions were greatly to the advantage of the country population as compared with that of the towns. The reverse was the case. Out of the police subvention £741,000 went to the Metropolis and the great boroughs, while £381,000 only went to the country districts. As regarded the sums given for lunatics, and for sanitary and Poor Law purposes, the case was still stronger. Hon. Gentlemen were apt to forget that rates, in the first place, meant taxation for public purposes on real property, and this was where the shoe pinched in the country; but rates in the towns and urban districts meant private improvement charges, which were borne by the houses, and which were nothing but a house tax in a different form. Some of his hon. Friends behind him often spoke of rates as if it were a monopoly of the farmers to pay them. Yet the amount assessed to local rates in the country was by no means chiefly, as in former days, paid by the occupiers of land. The valuation of house property was at this moment £93,000,000 per annum, while the valuation of agricultural land was only £51,000,000 per annum. This was not the case in former days. For instance, in 1848, the assessment of lands was £40,000,000, and of houses £35,000,000. It was stated in the Resolutions that the taxation required to meet the present Expenditure would impede the operations of agriculture and manufactures. But surely, if there were a tax which the farmer did not feel, it was the property tax. This country was not heavily taxed in comparison with France, and he doubted whether any country of Europe had been so lightly taxed during the last 20 years, in proportion to its wealth, as England. Moreover, he believed that the people thoroughly well knew this, and that the violent outcry raised in that House against a slight increase of taxation had produced very little effect indeed on the minds of the public out-of-doors. The hon. Gentleman (Mr. Rylands) had asserted that pauperism was on the increase. The figures showed, however, that the expenditure on pauperism had decreased by between £800,000 to £900,000 a-year between 1874 and 1878. No doubt there had been, in the present year, a considerable increase in the pauperism of the country; but that was as nothing in comparison with the diminution which had gone before. A Local Government Inspector, who had been instructed to make inquiries of the guardians in various districts, sent a Report to him on the 19th of last month. From this document it appeared that the great distress in Sheffield and other manufacturing towns had not affected the rates. In conclusion, he said that if the Government had adopted the policy which had been shadowed forth by the right hon. Gentleman (Mr. Dodson), and had reduced the Army and Navy when everything pointed to the necessity for strengthening them, that policy might have commended itself to the House and to the country; but he must say that all experience seemed to point to the contrary. He believed that the Government, whatever the consequences might have been, would have felt the course they had taken to have been one which it was incumbent on them to pursue as Ministers of the Crown and as trustees of the interests of this mighty Empire; and they would cheerfully abide the result if the House of Commons should, at the last moment, turn against them.

SIR JOHN LUBBOCK said, that the right hon. Gentleman who had just sat down had endeavoured to justify the action of the Government, in borrowing money for the ordinary Military Expenditure and for the ships which they had purchased, by citing the example of their Predecessors with reference to the fortifications and barracks. But surely the House would feel that there was a great difference between borrowing money for permanent improvements and borrowing it for temporary expenditure. The right hon. Gentleman went on to say that the system of Terminable Annuities was a financial juggle. He (Sir John Lubbock) was not an ardent supporter of the system of Terminable Annuities; but he could not help thinking that several of the Colleagues of the right hon. Gentleman would dissent from his views as regarded Terminable Annuities, and from his argument that we ought not to impose taxation at the present time, when taxes were comparatively light, because it was not so easy to do so as it was years ago when they were much heavier. The right hon. Gentleman said that all this increased expenditure had been forced on the Government, and was not due to their policy; but he believed that when the country came to consider the question they would arrive at the conclusion that it was entirely unnecessary and clearly due to the aggressive policy of Her Majesty's Government. The First Lord of the Admiralty had stated, at an earlier period of the evening, that they had not a soldier or a ship too many; but that entirely depended on the policy of the country. He admitted that if we were to go on in future as we were now that statement would be correct; but he maintained that if we were to pursue a policy of wisdom and prudence our armaments might be diminished without occasioning any mischief to the country. It appeared to him a noticeable circumstance that, in dealing with the Expenditure of the country, the only part of it which the right hon. Gentleman seemed to regret was that which related to education. The House must have felt indebted to the right hon. Member for Chester (Mr. Dodson) for his remarks upon the comparison which had been made by the First Lord of the Admiralty of the Expenditure for the year 1874-5 with that of the present year. The details which had been presented were, no doubt, very interesting; but it was necessary not to lose sight of the totals of the figures. He was glad that attention had been called to the Expenditure of the two periods in question, because the more they were contrasted with each other the better. It was, indeed, impossible not to contrast the present Budget with that of the first year in which the right hon. Gentleman had held Office, for at that time we had a surplus of £5,000,000, while we were now brought face to face with an accumulated deficiency of more than £5,000,000. Moreover, that surplus was but one of a series which we enjoyed during the prudent Administration of the late Government. In 1870 they reduced taxation by the sum of £4,500,000. [An hon. MEMBER: And then put it on again.]

Yes, that was quite true; they had a large expenditure to meet for the Army, and they raised it boldly by taxation, without following the Conservative policy of putting it off—on the contrary, they met the expenditure within the year. In 1872 they were able to remit £3,900,000; in 1873, £3,400,000; and in 1874, £4,600,000. Those results were due to a course of rigid economy, the only means by which a surplus could be secured. The course adopted by the Government of the present day had, unfortunately, been very different. As it was but an imperfect test to compare one single year with another, he would take the four years from 1870 to 1874, during which it would be found that the total Expenditure of the country was £280,000,000, or £70,000,000 a-year. On the other hand, for the last four years our total Expenditure had been £322,000,000, or £80,500,000 a-year. This showed a total increase of £42,000,000 sterling during the four years of Conservative Administration. It took some years, however, for a Government to arrive at such a degree of extravagance; and even this comparison was, therefore, scarcely a fair one with respect to the late Liberal Government. If they took the last two years, the Expenditure of the right hon. Gentleman opposite had been £168,000,000, or an average of £84,000,000 sterling a-year. He asked where was this continual increase in the National Expenditure to stop? The increase had not been upon any one single year, but continued in an unbroken series from the time when Her Majesty's Government came into power, and showed a regular addition of from £2,000,000 to £3,000,000 annually. Before the present Government came into Office the average annual Expenditure of the country amounted to £70,000,000 for several years; but since that period there had been a continual increase. In 1875, our Expenditure was £74,000,000; in 1876, £76,000,000; in 1877, £78,000,000; in 1878, £82,000,000; and in 1879, £85,000,000. The First Lord of the Admiralty argued that an increased payment had been made on account of the National Debt; but, on the contrary, the reduction of debt was greater under the late than under the present Government. No doubt there had been additional expenditure for education; but he argued that if they had an increase of expenditure in a certain direction it ought to be met by increased economy in another. Of course, Her Majesty's Government were not to be blamed for the whole of the increase which had occurred in the National Expenditure; but let them look at the Army and Navy. The average expenditure under that head for the years 1870 to 1874 was £25,000,000 sterling, and did not vary to any great extent. To many persons that sum appeared a very large one; but this item had increased in 1876 to £27,000,000, in 1878 to £30,000,000, and in 1879 to £32,500,000, or an increase of £5,000,000 sterling in four years. They were told that the times had been exceptional, and that the Liberals had left to their successors a legacy—the charge to meet the abolition of Purchase in the Army; but the principal legacy of the Liberal Administration had been a surplus of £5,500,000 sterling. Every Government had certain extra payments to meet; and accordingly, the late Government, he believed, had to make up the large sum of £5,000,000 to close the accounts of the Abyssinian War. Besides this, there was £800,000 for the Ashantee War, and £2,000,000 for the Anglo-German difficulties. Moreover, the amount paid last year for purchase was actually less than in 1874. The Chancellor of the Exchequer had said that they were to have a very large diminution this year in the ordinary Estimates. He stated that "they amount to £81,153,000, against £85,407,000 last year, or a net decrease of £4,254,000." A very large reduction, indeed; but it appeared to him (Sir John Lubbock) that in questions of finance, in order to make a fair comparison, they must compare Estimate with Estimate. Now, the Estimate in last April was £81,020,000; and it was for this year £81,153,000; so that, in place of there being a reduction of the large sum of £4,254,000, it would be seen, on comparison of one year with the other, that there was a substantial increase. Was there anyone in the House who supposed that the Expenditure of the country was to be only £81,153,000 for the present year? He did not accuse the Chancellor of the Exchequer of having kept anything back in that respect, because he had frankly stated that he had not provided for the Zulu War; but, of course, if he excluded an item of that magnitude, his Estimates became of little value. The right hon. Gentleman himself said—

> "It is very difficult to say what may be the calls that may be made upon us for the expenses of the Zulu War. I am afraid that, having consulted with my right hon. Friends at the head of the War Office and of the Admiralty, I am not in a position to give any definite or distinct Estimate with regard to it. But, finding that I have a surplus of £1,900,000, I think I may fairly assume that that sum will be quite sufficient to cover any calls likely to be made upon us in respect of that charge in the current year, and also in respect of the sum of £600,000 which remains as debt raised on Exchequer Bonds. But, at all events, if it fails to pay the £600,000, I have every hope that the surplus of £1,900,000 will be sufficient to meet the charge, whatever it may be, that falls upon us in respect of the Zulu War."

He (Sir John Lubbock) thought that it would be a very sanguine view for anyone to expect the large reduction promised by the right hon. Gentleman the Chancellor of the Exchequer. There were some other points upon which he desired to say a few words. The right hon. Gentleman the President of the Local Government Board (Mr. Sclater-Booth) had made some remarks upon the unfunded Debt, from which it seemed that he had rather misunderstood the objections raised upon that subject by the hon. Member for Burnley (Mr. Rylands) and the right hon. Member for Montrose (Mr. Baxter). Those hon. Gentlemen had not objected to the expenditure which had been met by the unfunded Debt; but they maintained that the unfunded Debt was a form of Debt inconvenient in itself. The unfunded Debt was that portion of the national responsibilities which required most careful watching; and it had been for many years the policy of this country to diminish, as far as possible, the amount expected to be called for at any moment, and to replace them by permanent forms of indebtedness. Accordingly, our unfunded Debt, which in 1840 amounted to £20,000,000, had been gradually reduced, and in the year 1874 it stood at £4,500,000 only. But during the last four years it had swollen again to £21,000,000, and was now higher than it had been for a quarter of a century. He was far, indeed, from saying that there was anything really formidable in those figures; but it was well that attention should be directed to them, and he confessed he should be glad to see the total reduced. Moreover, it would be a great mistake to suppose that this was the full amount which the country might be called upon to pay at a short notice. On the contrary, the real unfunded Debt, so far from being represented by a sum of £21,000,000, amounted to over £90,000,000, because the deposits in the Post Office Savings Banks were £29,000,000, and were repayable at a few days' notice; while the old Savings-Bank Trustees had over £46,000,000 deposited with the Government. Thus, there was a sum of nearly £100,000,000, which the Government might be called on to pay at a short notice. That large amount of indebtedness was a strong reason why the unfunded Debt in other forms should not be increased. He was far from saying there was anything in this to cause uneasiness; but he would just call the attention of the Chancellor of the Exchequer to the very small amount of reserve held by the Banks in question. He believed that the Post Office Savings Bank had £29,000,000 of deposits, and £26,000 only in cash, while the Old Savings Bank Department, with its liability of £46,000,000, had but a cash reserve of £143,000. These proportions of cash to liability were very small, and the subject was one well worthy of the attention of the right hon. Gentleman the Chancellor of the Exchequer. With regard to the rates, their objection was not so much to the transference of these, although many persons felt that they were much better controlled by the local authorities, and few people would maintain that it was merely a question of taking a shilling out of one pocket and putting it into another. On the contrary, the complaint was that we took a shilling out of one pocket in order to put sixpence into the other. With regard to the state of business, he did not think his hon. Friend (Mr. Rylands) had in any way exaggerated in what he had said upon that subject. Look at the Clearing House Returns. In 1875, £6,000,000,000 passed through, which had since fallen to £5,000,000,000, and would this year show a further reduction of rather more than £200,000,000 upon that account. Lest it should be thought that this might be merely caused by a diminution in Stock Exchange operations, he pointed out that on the 4th of the month, which he need not say was a test day of our internal trade, there was a falling of no less than £12,000,000 sterling. They might be asked why, in a period of depression like the present, did they urge that an amount should be raised by immediate taxation, rather than that the payment should be put off for another year? He felt strongly on that point, and thought that the country should realize what was being done; and he maintained that if they were to have an aggressive policy they should at least put their hands in their pockets and pay for it at once. War meant taxation and suffering; and he doubted whether, if there was to be no General Election next year, the policy of the Government would have been what it was at present. He could not help thinking that the Government did not wish to go to the country with an increase of taxation. On the Budget of 1875, the Chancellor of the Exchequer made a strong speech in favour of reducing the National Debt, which, for aught he knew, might have been intended as a check upon the possible extravagance of his Colleagues. Perhaps the right hon. Gentleman wished to strengthen himself by committing them. He spoke strongly upon the subject, and admitted that his Predecessors had done something; but he added—

> "I am bound to say that I do not think that this House has any great reason to be proud of the amount we have expended in the past year in the payment and reduction of the Debt." [3 *Hansard*, ccxxiii. 1037-8.]

The National Debt in 1869 amounted to £805,500,000, and in 1874 to £779,300,000. Consequently, in five years, it had been reduced £26,000,000, or more than £5,000,000 a-year. Even in 1874, the year especially referred to by the right hon. Gentleman, the reduction was £3,700,000. Under the most favourable circumstances, the reduction for the present year could not amount to more than £2,500,000, and would probably be very much less. What a change had come over the right hon. Gentleman! Five years ago, he complained that a reduction of £5,000,000 was too little, and now he was satisfied with half the amount. Under the present system, we were borrowing with one hand in order to pay off with the other, and we were reducing the Debt which was most convenient in form to increase that which was most inconvenient, and even dangerous—in other words, we were reducing the funded Debt and increasing the unfunded Debt. Moreover, heavily as the country was burdened, he did not think that the people fully realized its position, owing to the complex financial arrangements of Her Majesty's Government. For instance, the right hon. Gentleman proposed that we should lend India £2,000,000, free from interest, to pay for the Afghan War. This appeared to him, in many ways, open to objection. In the first place, they had not got the money to lend. They were borrowers themselves. He would not say more upon the subject that evening than that the amount would not appear in the India Accounts, because it was a loan from this country. India would not require to raise the money, and as to England, it would appear merely as a loan on good security; therefore, what was paid in this way would not show itself in the Accounts of either country. Where was that sort of arrangement to stop? Why should not India lend us £2,000,000 to carry on the Zulu War? Upon such a system as that we might carry on a series of little wars, and the amounts expended upon them would appear as a series of investments on good securities. Although he did not say that Her Majesty's Government were responsible for the depression which prevailed at the present moment, it seemed to him a mathematical certainty that the course they had pursued had done much to aggravate it. Did anyone suppose that, during a period of commercial and agricultural depression, £40,000,000 could be taken out of the pockets of the people without their feeling it? Could £15,000,000 be added to the taxation of the country without its being felt? But he complained of more than this. The state of uncertainty in which the country was kept by the policy of Her Majesty's Government was even worse than the actual expenditure. Nobody was sure that we might not be soon engaged in another war; and, as a consequence, everybody was afraid to engage in any new commercial transaction, for who could say what would be the next policy of Her Majesty's Government? He maintained that the course followed by the Government generally had greatly injured the manufacturing trade of the country, and thereby tended to paralyze our commerce. And what had the Government to show for their enormous Expenditure? The division of Bulgaria was, in his opinion, a serious danger, and re-opened the question of the East of Europe. As to the so-called acquisition of Cyprus, it had roused the suspicions of the Mahometan world, while it was impossible to foresee in what difficulties and dangers our relations with Asia Minor might involve us. It could not be disguised that the country was in a critical position. Trade was languishing, and the farmers were suffering. He did not deny that, in some circumstances, a spirited foreign policy was inevitable; but he maintained that it was, at best, an unfortunate necessity. He trusted that when the constituencies calmly considered it they would cease to approve the policy which had been adopted for the last two years, because he was satisfied that there was no hope of better times and a revival of prosperity until we returned once more to a policy of economy and of peace.

Mr. GRANTHAM said, whether the policy of the Government was aggressive to other countries might be and was a question of great doubt; but there could not be much doubt that the public at large thought the policy of the hon. Member opposite (Mr. Rylands) was, at any rate, a very aggressive one towards Her Majesty's Government, for, in the many speeches which had been made during the last four months, nothing short of defiance of the Government and their policy was to be read. No doubt, also, the Party opposite had looked forward with much pleasure to the debate promised them by the hon. Member, because he was thought by his friends to possess some knowledge of finance and political economy. Their expectations were doubtless satisfied when they saw the debate announced, and speculated upon its result; but he questioned very much if they would be as gratified tomorrow when they read the account of the debate which had taken place. Hon. Members had expected to have a fair debate on the financial policy of the Government; but the hon. Gentleman had sat down without having grappled with that subject at all. The speech of the right hon. Member for Montrose (Mr. Baxter) was one of a very different character, and showed itself to be the outcome of a financial investigation of the question; and although he (Mr. Grantham) had not followed him through the whole of his allusions, he felt that his speech had in it a great deal more of the ring of finance than that critical and egotistical statement of the hon. Member for Burnley. The right hon. Member for Montrose had endeavoured, with much knowledge of his subject, to revert to the proper topic of discussion, while the hon. Member for Burnley had merely re-opened questions of foreign policy which had over and over again been settled by the votes of the House. The great charge against the Government was that, in consequence of their excessive Expenditure, agriculture and commerce had declined. But he thought it would be evident to anyone conversant with the question that the distress which affected agriculture scarcely ever arose from the same circumstances that created distress in the manufacturing interest. It was quite new to him to hear that excessive expenditure of money by the Government could produce agricultural distress. It was always considered to have the contrary effect, and the taunt had always been directed against the Conservatives that they were in favour of a war policy, because it was to the interest of the landowners and farmers that such a policy should be carried out. Everyone, therefore, knew, who looked at the matter honestly, that the policy of the Government had nothing to do with the distress in agriculture, even if it had had anything to do with the distress in manufactures. But the right hon. Member for Birmingham (Mr. John Bright) could answer that charge far better than he. The right hon. Member said—

> "It was idle to talk about the distress being so great, and that it was nothing to be compared with what it was a few years ago."

If that was true, what was the meaning of the discussion which had been got up that evening? The meaning was, that it was the outcome of the aggressive policy of the hon. Member for Burnley, and others in readiness for the Elections, who thought that if they threw dirt enough on Her Majesty's Government some of it would be sure to stick.

He rejoiced to have heard the speeches that had been delivered by hon. Members opposite, because they had completely shown how empty and baseless were the charges which had been brought against Her Majesty's Government; and he thought that when the people read the speech of the hon. Member for Burnley, and the reply of the First Lord of the Admiralty, very little more would be heard in the country about Conservative extravagance, and very little more of the financial ability of the hon. Member opposite. The fairness of the comparisons which had been made might be judged of by the references made by the right hon. Member for Montrose (Mr. Baxter), who, in order to show how great had been the distress in trade, compared the railway traffic on the Scotch lines for the last three months with the traffic for the corresponding period of last year. Why, everybody knew that the traffic this winter and spring had been entirely stopped by the snow; there never had been such a year in that respect, and yet hon. Members opposite considered that comparison to be a fair one. It was also, in his opinion, unfair on the part of the right hon. Gentleman the Member for Chester (Mr. Dodson) towards Her Majesty's Government, to compare the year 1873 with succeeding years. He had taunted the First Lord of the Admiralty with having compared 1874 with the following year under the present Administration, and said that he had no right to make that comparison; but what right had he to take that year which he found had been the least expensive under the late Government, for the purpose of comparison with the outlay of the year 1878-9? Everyone knew that the Expenditure was settled at the commencement of the year; it might be altered during the latter part of the year, but who ever heard of its being altered in February or March? Looking more closely at the Expenditure since the year 1872, and taking the Revenue raised per head of the population during the last three years in which the late Government were in Office, for the purpose of comparing it with the Revenue raised per head of the population since the accession of Her Majesty's Government, it would be found that under the late Government the amount had every year exceeded the Revenue raised per head during the latter period. In 1872 it amounted to £2 7*s.* 3*d.*; in 1873 to £2 8*s.* 2*d.*; and in 1874 to £2 8*s.* 2*d.* per head. Since then, under the present Government, with its aggressive blustering policy so much talked about, and which was said to have cost the country so much, it would be found that the Revenue raised per head had been invariably less than it was under the late Government, for in 1875 it was £2 6*s.* 3*d.*; in 1876, £2 7*s.* 1*d*; in 1877, £2 7*s.* 6*d.*; and in 1878, £2 7*s.* 8*d.* per head. But what was the meaning of the term "blustering policy?" It was the policy of talking without the intention to act—of professing to do great things without the power to perform them. And who was it that advised the Government to "bluster" with regard to Turkey? Why, hon. Members opposite—who said that Her Majesty's Government ought to have adopted the Berlin Memorandum, and threatened Turkey. But the Government had adopted a policy not of bluster but of firmness, and had thereby preserved peace to England. They had said to Russia that certain things would not be allowed, and they were not allowed. Hon. Members had been talking as if we had been taking part in the war that had been raging between Russia and Turkey, and people, without thinking, and without analyzing the language of hon. Members opposite, would go away with that idea. But the converse had been the case, and the Government had preserved peace for this country. In asking hon. Members to look back to the past history of the Eastern Question, he ventured to say that there never was a time during the last 200 years in which England had kept out of war with more success, though with greater difficulty than she had done during the last two years. And that had been achieved by the firm, but not "blustering," policy of Her Majesty's Government. He therefore maintained that, on looking back to the history of the time, there was nothing to be ashamed of, but much, on the contrary, of which this country might be proud; and he ventured to say that a greater moral and diplomatic victory had been obtained over Russia, without recourse to arms, than was gained by the Crimean War, which cost the country so many millions of our money, and so many thousands of our troops. With regard to the way in which this question had been brought forward, the charges made against the Government divided themselves into three distinct propositions. The first was, that the Government had no domestic policy, and so adopted an aggressive policy. The second was, that they had an aggressive policy. The third was, that they had a warlike policy, and had created unnecessary wars. And first, with regard to the allegation that the Government had no domestic policy. That was the charge the hon. Member for Burnley (Mr. Rylands) had brought forward. But everyone must remember that when the Government first came into power exactly the contrary was alleged. He utterly denied that the Government had no domestic policy, and how it could be said that they had none, when they were formerly taunted with having too much of it. They were charged with having a policy of sewage, because they chose to look to the health of the people of this country. If the history of the first few years during which the present Government had been in power was looked at, and especially the second year, it would be found that there never was a time when more attention had been given to the domestic policy of this country. Then, as to our aggressive policy, the Eastern Question was neither sought for nor raised by the Government. Was it a likely thing that a question which had troubled Europe for so many years would be voluntarily raised by the Government? Was it likely that any Government would, of their own free will, put their head into such a hornet's nest? They knew too well the difficulties that surrounded them, and did all they could to avoid them. The fact of the Eastern Question, and the difficulties in connection with it, having been forced upon the Government, was the occasion of the domestic policy of the Government having been to some extent put aside for a time. The right hon. Member for Chester (Mr. Dodson) said that England was not now more respected than she was before. He would ask the right hon. Member to refer back to the position which England held, first at the time of the Berlin Memorandum, and then at the time of the Berlin Treaty. Last year Europe followed the lead of England, whereas, before that, it was expected that England would follow the lead of the Emperors of the East. They could look back with pride upon the altered position of England since the Berlin Treaty was made. As to the third charge, that we had created unnecessary wars, the Division in the House on the Afghan debate and the present aspect of the question were the only answers necessary to refute such charges. He would now quote a few figures to show how utterly fallacious and misleading were the figures given by the hon. Member for Burnley as to the effect of our policy on the position of the country. The hon. Member for Merthyr Tydvil (Mr. Richard) had told them that the country was now unable to bear the taxation formerly put upon it. Taking the years which he himself had given, he found that in the year 1850 the taxable property of this country in land, and what he might call personal property, was £159,000,000; whereas, in 1877, taxable property of the same kind had risen to £369,000,000. Thus, the taxable property had considerably more than doubled in that interval. They did not find that the population had anything like doubled in the same period; and, therefore, the people were much better able to bear taxation now than then. Taking other taxable property, including that coming under Schedule D, whereas, in 1860, it amounted to £56,000,000, in 1877 it had risen to £489,000,000. A great deal had been said about the inability of England to stand competition with foreign nations. That, again, was incorrect, because the value of British exports had risen from £2 11*s*. 10*d*. per head of the population in 1856 to £5 18*s*. 11*d*. per head in 1877. Those figures showed that the trade of the country was perfectly well able to bear competition, and that England was not sinking down into the position of Holland, or any other third-rate Power in Europe. It had also been said that they had reason to fear the competition of America. But with regard to America, he did not think England had anything to fear. At the present time England was not only holding her own, but more than that, it was taking trade from America. He would mention one instance. They found that whereas, formerly, sewing machines were manufactured and imported from America, now the American companies had factories in England and made their own machines here. The import of those machines to this country had fallen off to one-fourth of what it was 10 years ago, showing that English traders and manufacturers were able to compete, and more than compete, with American manufacturers of such goods. If the difficult question between capital and labour were settled in this country, he believed that England could produce and manufacture articles much cheaper than any other country, not even excluding America. Even now, with all the American boasted cheapness, the whole trade of America, with regard to the export of woollen or cotton goods to this country, was only about £1,500,000. He did not wish to occupy the time of the House at any greater length; but, so far as he was concerned, he must say that he rejoiced that the question of the Expenditure of the Government had been brought forward, because he thought that the many charges that had been made against the Government had been entirely refuted; and no one had answered the arguments of the hon. Member for Burnley (Mr. Rylands) better than his Seconder, the right hon. Member for Montrose (Mr. Baxter). There was only one thing more to which he would refer, to show the complete absurdity of the whole of the charges made against the Government. In a speech made by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), he found fault with the Expenditure of Her Majesty's Government upon the Suez Canal. He said—

> "With regard to Egypt, look at the Expenditure on the Suez Canal. I admit that it is the highway to India, but if we lose it the Cape route is still open to us."

When ex-Cabinet Ministers spoke in such a strain as that, it was idle to argue upon the Expenditure of the Government. Recently, everyone had been saying that, at whatever cost, they must have telegraphic communication to the Cape Colonies. And, with regard to India, there would be a greatly-increased risk of losing it, if they were not able to send troops there at the shortest notice. When either the Sultan, or the Khedive, or Russia was in possession of the Suez Canal, British communications with India would become greatly exposed, and their hold upon the country considerably weakened. Who would have been the first to condemn Her Majesty's Government for not taking proper steps to secure the Suez Canal, but hon. and right hon. Gentlemen opposite? Yet an ex-Cabinet Minister did not hesitate to suggest that we could afford to give up our communications with India by means of the Suez Canal and take to the old route round the Cape! If circumstances similar to those now taking place in South Africa were to arise in India, in such a case the opponents of Her Majesty's Government would be the very first to blame them if, through our inability to send troops *viâ* the Suez Canal, any mishap should happen. After the discussion they had had that night, he did not think the Government need have any fear of going to the country on the questions which had been raised by the hon. Member for Burnley (Mr. Rylands).

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Goschen.*)

Motion *agreed to.*

Debate *adjourned* till *Monday.*

PROSECUTION OF OFFENCES BILL.

[Bill 68.]

(*Mr. Secretary Cross, Mr. Attorney General, Mr Solicitor General, Sir Matthew Ridley.*)

COMMITTEE. [*Progress 14th March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Appointment of Solicitor for Public Prosecutions).

Mr. MORGAN LLOYD said, that he did not intend to move the Amendment that stood in his name, by which it was proposed to vest the nomination of the Public Prosecutor in the Secretary of State for the Home Department, because he understood that the Bill, as it already stood, was in accordance with what was usual under the circumstances. He would only say that his object in placing the Amendment on the Paper was that of throwing the responsibility of making the appointment on the Secretary of State for the Home Department, in order that it should be known at once who was responsible for it. After the explanation which the right hon.

Gentleman had been good enough to give him with regard to the point, he did not propose to move the Amendment.

Amendment, by leave, *withdrawn.*

Mr. RAMSAY had listened to the speech of the right hon. Gentleman the Secretary of State for the Home Department on the occasion of the second reading of the Bill, and had understood from him that this was intended as an experimental measure in order to enable the people of England to acquire some knowledge of the system of conducting criminal prosecutions by a Public Prosecutor. Having some experience of that system in Scotland, he thought that if the experiment was to be satisfactory in England, it would be necessary not to have such provisions as the Bill contained when it was introduced; because, in his judgment, there was no definite mode prescribed for the conducting of public prosecutions, nor was there anything in the Bill which could prevent any number of gentlemen being appointed to act in cases which were considered of sufficient importance. He did not think that such a system would enable the people of England to judge how far public prosecutions might be acceptable to them. It was necessary, no doubt, to deal with the system in a tentative manner, but in such a way as would enable the country to come to an accurate opinion on the subject. With regard to the Amendment which stood in his name, the object of it was that the Secretary of State should appoint any number of officers, not exceeding 10, to act as Prosecutors of Offences in Criminal Courts. The view which he entertained on this matter, and which he would not occupy much time in stating to the Committee, was that there should be one person appointed Director of Prosecutions, acting under the Attorney General, and, in addition, one assistant in London, and one in each Circuit, acting respectively within an area to be defined by the Secretary of State. With regard to the area, he understood that the right hon. Gentleman was advised that it was in his power to define the area within which each of these officers would act. But he thought that it would be unsatisfactory to leave that question on the construction of the Statute. If the Secretary of State was to have the power of defining the area, he did not think that it should be left to be implied from the construction of the terms of the Statute, but that it should be clearly expressed. For that reason, he thought there should be an Amendment expressly giving the Secretary of State power to define the area within which each Public Prosecutor should act. The Amendment placed on the Paper by the right hon. Gentleman the Home Secretary proposed that he should have power to appoint any number of Prosecutors not exceeding six. But he did not think that that number would be sufficient. He would repeat, that his view was that there should be one Director of Public Prosecutions and one Assistant Resident in London for the Metropolis, and one in each of the Circuits into which England was divided. For that reason, he had submitted his Amendment that the number of officers should not exceed 10. He begged to move, in page 1, line 9, to leave out "an officer," and after the word "appoint," to insert "any number of officers not exceeding 10."

Mr. ASSHETON CROSS understood from his hon. Friend that he entirely agreed with the object of the Bill, and that he had not a single word to say against it. With reference to the Amendment proposed by him, he might say that he was satisfied from the investigations he had made that the number of officers he proposed to appoint—namely, six, would be sufficient. With regard to the other point, as to more expressly stating the definition of the area in which the official should act, that was under the control of the Home Office. He might say that his hon. and learned Friend the Attorney General was of opinion that the Bill at present gave ample power to the Home Secretary to define the areas. He would, however, consider the question again, and, if thought desirable, insert an Amendment making it clearer that the areas were to be defined by the Secretary of State for the Home Department.

Mr. RAMSAY was satisfied with the explanation given by his right hon. Friend, and begged to withdraw his Amendment. He hoped that the right hon. Gentleman would see the necessity of more expressly stating in the Act that the area was to be defined by him.

Amendment by leave, *withdrawn.*

Mr. MORGAN LLOYD moved, in page 1, line 10, to leave out "Solicitor for Public Prosecutions," and to insert "Public Prosecutor." No doubt, this was a verbal Amendment; but he thought he could show that it was an Amendment of some consequence. In the first place, the term "Solicitor for Public Prosecutions" was too long a name for general use; the officer would probably be described as "solicitor"; and it would be necessary, in order to distinguish him from other solicitors, to give the entire definition, which was too long for practical purposes. Besides, there was a disadvantage in the name on account of its unfamiliarity. It gave an erroneous idea, if it gave any at all; whereas the term "Public Prosecutor" was well known, and had in principle been already accepted by the public. Therefore, he submitted to the right hon. Gentleman the Home Secretary, that it would be desirable to insert the words "Public Prosecutor" in the Bill in all places where the words "Solicitor for Public Prosecutions" were found.

Mr. ASSHETON CROSS observed, that his hon. and learned Friend was somewhat paradoxical; for while he stated that his Amendment was only verbal, yet he attributed to it some importance. He hoped that he would allow him to do as he liked with his own Bill. The hon. and learned Gentleman said that "Public Prosecutor" was a very much better term than "Solicitor for Public Prosecutions," and that the latter words would be likely to mislead the public. It was for the express purpose of not misleading the public that he had not used the words "Public Prosecutor." The notion of a Public Prosecutor, at all events, amongst the second branch of the Legal Profession, was that of a gentleman acting as a Justices' clerk; and if the appointment were to be given to that class, the practical result of the measure would be simply that they would find themselves in the same position as before, and the same officers would be doing the same duties as they did at present, though under different titles and at an increased expense. It was not his intention that those gentlemen should have these appointments; and it seemed to him that the best title that could be used, under the circumstances, would be "Director of Public Prosecutions." He had, accordingly, altered the name of "Solicitor for Public Prosecutions" into that.

Mr. HERSCHELL thought that the title of "Director of Public Prosecutions" would exactly define the duties to be performed by the officer to be appointed under the Statute.

Mr. MORGAN LLOYD would withdraw his Amendment, on the understanding that the right hon. Gentleman would make the alteration he had suggested.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. Assheton Cross, Amendment made, in page 1, lines 10 and 12, by substituting the words "Director of Public Prosecutions" for "Solicitor for Public Prosecutions."

On the Motion of Mr. Assheton Cross, Amendment made, in page 1, line 10, after "salary" by inserting "not exceeding two thousand pounds per annum."

Mr. ASSHETON CROSS said, that he had to move an Amendment which stood in his name, in page 1, line 22, at end of Clause, to add the words—

> "The regulations under this Act shall provide for the Director of Public Prosecutions taking action in cases which appear to be of importance or difficulty, or in which special circumstances, or the refusal or failure of a person to proceed with a prosecution, appear to render the action of such Director necessary to secure the due prosecution of an offender, and shall also fix the area over which the Assistant Prosecutors shall respectively be appointed and act."

Mr. MORGAN LLOYD observed, that it seemed to him that a very convenient mode of fixing the districts of the Assistant Directors would be with reference to the existing Circuits. He did not wish to move an Amendment to that effect, if something were done in respect of it; but suggested for the consideration of the right hon. Gentleman the Home Secretary that in fixing the areas over which Assistant Directors were to have authority regard should be had to the existing Circuits.

Amendment *agreed to;* words *added.*

Clause, as amended, *agreed to.*

Clause 3 (Establishment of Office of Solicitor of Public Prosecutions.)

Mr. HERSCHELL moved the omission of the words "the Attorney General with the approval of." He ventured to think that it would be better that the Secretary of State should have the appointment of the Assistant, as well as the Chief Officers who were to carry out the system. The consequence of the omission of the words would be to vest the appointment in the Home Secretary. In consequence of that, it would be necessary to leave out the words "officers, clerks, messengers, and servants," and to provide for their appointment subsequently.

Amendment *agreed to.*

Mr. ASSHETON CROSS moved, in page 1, line 24, to leave out "officers," and insert, "not exceeding six, and such."

Amendment *agreed to;* words *inserted.*

On the Motion of Mr. Herschell, Amendment made, in page 1, lines 24 and 25, by leaving out the words "officers, clerks, messengers, and servants."

On the Motion of Mr. Assheton Cross, Amendment made in page 1, line 27, by substituting the words "Director of Public Prosecutions" for "Solicitor for Public Prosecutions."

Mr. HERSCHELL proposed to add to the clause the words—

> "The Attorney General may from time to time, with the approval of the Secretary of State, appoint such clerks, messengers, and servants as may, with the sanction of the Treasury, seem necessary for the proper execution of his duties by the Director of Public Prosecutions, and may assign them their duties."

Mr. WHITWELL inquired whether it was proposed under this clause that persons should be appointed in different parts of the country, or whether it was intended to centralize in London?

Mr. ASSHETON CROSS stated, that his proposal was that the Director, with an Assistant, should be resident in London; but that the rest of the officers should be, as far as possible, connected with the existing Circuits.

Mr. E. JENKINS asked whether anything in the Act would prevent the appointment of a solicitor having private practice?

Mr. ASSHETON CROSS said, that, if necessary, a clause to that effect would be inserted in the Bill.

Amendment *agreed to;* words *added* accordingly.

Mr. Herschell

Mr. COURTNEY observed, that the hon. Member for Carmarthen (Mr. B. T. Williams), who took great interest in the Bill, was not present. He should like to know whether the right hon. Gentleman the Secretary of State proposed to report Progress when his Amendments were reached?

Mr. ASSHETON CROSS said, that the qualification to which the Amendment of the hon. Member related might just as well be inserted in the Bill as a separate clause.

The CHAIRMAN remarked, that the hon. Member for Carmarthen had given instructions to remove his Amendment from the Paper.

Mr. RATHBONE said, that upon the introduction of the measure his right hon. Friend the Home Secretary stated that it was intended only to be tentative. He thought it undesirable that the country should be permanently burdened with these Assistant Solicitors under these circumstances. There could be no difficulty, in his opinion, in getting Assistant Solicitors to undertake the duties on the terms provided by his Amendment; but it seemed to him undesirable to burden the country with a number of pensions, as would be the case if these gentlemen were appointed without the provision he desired to insert, and a change was afterwards made. He begged to move to add to the clause, as a separate paragraph—

> "No Assistant Director of Public Prosecutions shall be appointed for any longer term than five years; but any person vacating his office, by reason of this provision, may be re-appointed."

Amendment proposed,

In page 2, at the end of the Clause, to add the words "no Assistant Director of Public Prosecutions shall be appointed for any longer term than five years; but any person vacating his office, by reason of this provision, may be re-appointed."—(*Mr. Rathbone.*)

Question proposed, "That those words be there added."

Mr. ASSHETON CROSS said, that he had already informed the hon. Member for Dundee (Mr. E. Jenkins) that no gentleman appointed under the Act would be at liberty to have private practice; and no one worth anything would give up his practice for five years on the chance of going back to it again at the end of that period. No man in his senses would do it. Although the measure was tentative, yet he did not contemplate that when the scheme was once started it would ever be abandoned. The only question was whether it should not be carried further. To get proper officers, he thought it would be necessary to assure them that if any change were made they would not be thrown upon the wide world again.

Mr. RATHBONE confessed he was not convinced by the arguments of the right hon. Gentleman upon the matter, because it must be in the knowledge of everyone that whenever changes were made the holders of offices were always most liberally dealt with. He did not think that the country should be burdened, in the event of changes, with the pensions of these gentlemen. Without actually incurring that liability, he thought that the officials would be satisfied that, in the event of a change, they would be fairly dealt with.

Mr. COURTNEY said, that the Home Secretary based his reason for making these appointments permanent from the fact that they would not otherwise get qualified persons. He might point out that the right hon. Gentleman had recently recommended barristers for appointments in Egypt for a term of five years; and it was not supposed that those persons were without ability because they occupied the appointments on those terms. The gentlemen accepting the appointments would know that if the scheme worked well they would be continued, and that if it did not, though they had no right to pensions, yet they would be fairly dealt with.

Mr. DILLWYN also thought that it would be desirable to have some mode of getting rid of the officials to be appointed under the Act.

The ATTORNEY GENERAL (Sir John Holker) said, that it would be impossible to get good Assistants, if they were only to be appointed for five years at the outside.

Mr. DILLWYN thought that this was a very important question, and should be debated in a fuller House than was then present. He suggested that Progress should, therefore, be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Dillwyn.*)

Mr. ASSHETON CROSS did not wish to continue the debate, if it was the general wish of the Committee that Progress should be reported.

Mr. RATHBONE expressed a desire to take the sense of the Committee at once upon his Amendment.

Mr. DILLWYN said, he would withdraw his Motion, as his hon. Friend (Mr. Rathbone) wished it.

Motion, by leave, *withdrawn.*

Notice taken, that 40 Members were not present; Committee counted, and 40 Members not being present,

Mr. Speaker resumed the Chair; House counted, and 40 Members not being present,

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 25th April, 1879.

MINUTES.] — Public Bills — *Committee — Report*—Great Seal* [38]; Local Courts of Bankruptcy (Ireland)* (40); Assessed Rates Act Amendment* (55).

Third Reading—Friendly Societies Act (1875) Amendment* (25), and *passed.*

SOUTH AFRICA — THE ZULU WAR— IMPORTATION OF ARMS AND MUNITIONS.

QUESTION. OBSERVATIONS.

Lord ELLENBOROUGH asked Her Majesty's Government, If they have ascertained the names of the firms that have supplied arms to the enemy opposed to Her Majesty's Forces at the Cape of Good Hope previous to the present war with the Zulus? The noble Lord said, they were now too well aware that the Zulus were provided with arms of precision and with ammunition suitable to those arms. He made that remark because, when reference was made to the subject recently in the other House, the right hon. and gallant Gentleman the Secretary of State for War received a telegraphic message from a firm which said that the arms that found their way into the hands of the Natives of South Africa, and of other places where we had been engaged in hostilities, were useless, or of such a description that they were likely to prove more dangerous to those who used them than to those against whom they were used. That, however, was not the case. Facts were better than theory. He alluded to what had been found to be the case when the distinguished 57th Regiment, in which he had the honour to serve, was in New Zealand, and again when that regiment recently went from Ceylon to the Cape of Good Hope. It was found that the Natives, both in New Zealand and at the Cape, were provided with arms which were supplied to them from this country, and that they were not useless weapons, but serviceable arms of precision. The same thing had been experienced in other parts of the world where we had found ourselves opposed to the Natives. There was no Act of Parliament enabling us to deal immediately with such cases. Yet, considering that the supply of arms and ammunition to the enemies of the country had been going on during the lifetime of most of us, and that various Acts of Parliament had been passed for its suppression, it was high time to adopt more energetic measures for putting a stop to it. It might be well to consider whether this could best be done by the passing of an Act increasing the peril of those who acted so heartlessly as to make a profit out of what might be life or death to a number of their fellow-countrymen. It occurred to him that if the names of the firms who supplied those arms, or powder in a finished or unfinished state, were published, and the firms themselves thus held up to a public odium, that, aided by a free Press, would do as much as, or perhaps more than, any Act of Parliament. Good arms, though not of the very latest pattern, could be had in this country at so cheap a price that considerable profit was to be made by exporting them even to distant places. He begged to ask Her Majesty's Government the Question on the Notice Paper in his name.

Earl CADOGAN presumed, from the remarks of the noble Lord in regard to the experience of the gallant 57th Regiment at the Cape—although his noble Friend's Question spoke of firms which had supplied arms to the enemy there previous to the present war with the Zulu Tribe—he meant to refer especially to the present war?

Lord ELLENBOROUGH said, he did, immediately previous to the present war, and also to New Zealand and other Colonies, where our Forces had experienced the same thing in their wars with the Natives.

Earl CADOGAN said, with regard to the sale of arms to the Kaffirs now fighting Her Majesty's troops, he had already had the honour, in answer to a Question put by another noble Lord (Viscount Sidmouth), to inform the House that measures had been taken to stop all further supply of arms to the Zulus. He stated, also, that communications had passed with the Portuguese Government, who had met Her Majesty's Government in the most friendly manner, and agreed to stop all traffic in arms with the Zulus, not only on the seaboard, but in all the inland territory subject to Portuguese jurisdiction. But, in reply to the inquiry of the noble Lord as to the names of firms which had supplied arms previous to the present war, he had to state that whatever communications had been made on the subject to Her Majesty's Government had been referred to the local authorities in South Africa, and such communications must necessarily be of a private nature. The Government had not, however, any information which would justify them in naming any firm or firms answering to the description referred to in the noble Lord's Question.

House adjourned at half past Five o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 25*th April*, 1879.

MINUTES.]—New Writ Issued—*For* Clare County, *v.* Sir Bryan O'Loghlen, Attorney General of the Colony of Victoria.

New Member Sworn—George James Howard, esquire, *for* Cumberland (Eastern Division).

Select Committee—Turnpike Acts Continuance Act, 1878, *appointed* and *nominated;* Law of Libel, *appointed* and *nominated.*

Private Bill (*by Order*) — *Second Reading*— Lancaster Gas *; Warrington Corporation *.

Public Bills—*Ordered—First Reading*—Gas and Water Provisional Orders Confirmation * [136].

First Reading—Supreme Court of Judicature Acts Amendment * [134].

Second Reading—Pier and Harbour Orders Confirmation (No. 1) * [118]; Pier and Harbour Orders Confirmation (No. 2) * [125].

Committee—Report—Vaccination Acts (Ireland) Amendment [90-135]; Land Drainage Provisional Order (Bispham, &c.) * [104]; Valuation of Lands (Scotland) Amendment * [16].

Withdrawn — Waste Lands Reclamation (Ireland) * [8].

QUESTIONS.

CONSTABULARY (IRELAND)—CASE OF SUB-CONSTABLE JOYCE.—QUESTION.

MAJOR O'BEIRNE asked the Chief Secretary for Ireland, If the attention of the Inspector General of Constabulary has been called to the case of sub-constable Joyce, of county Sligo, as reported in an article of the "Freeman's Journal" of the 1st of April, wherein it is stated that sub-constable Joyce was fined seven shillings for being absent from parade on the morning of the 7th of March, through illness brought on by exposure to the inclemency of the weather, in the discharge of his duty on the 6th of March; and, are the facts correctly stated in that article, and have the members of the Royal Irish Constabulary the right of appeal to superior authority; and, if so, why it was not exercised in this instance?

MR. J. LOWTHER: Sir, it appears that in this case the constable alluded to failed to make a report of his illness in accordance with the prescribed forms. As to an appeal, there exists in all cases a right of appeal to the Inspector General, of which, however, the constable did not avail himself, and, moreover, appears to have signed a return stating that he had no complaint to make.

GRAND JURY LAWS (IRELAND). QUESTION.

MAJOR NOLAN asked the Chief Secretary for Ireland, On what date his Bill for the Improvement of the Grand Jury Laws of Ireland will be printed for distribution?

MR. J. LOWTHER: I am afraid, Sir, I cannot at this moment name any actual day for bringing in the Bill relating to the improvement of the Grand Jury Laws of Ireland. I have quite recently received some important suggestions, to which I feel bound to give very careful consideration before settling the final draft of the Bill. I hope, however, that I shall be a position to introduce it before long.

UNITED KINGDOM ELECTRIC TELEGRAPH COMPANY.—QUESTION.

MR. FORTESCUE HARRISON asked Mr. Chancellor of the Exchequer, If his attention has been called to an article headed "The Government and the Telegraph Companies," which appeared in "Capital and Labour" on the 9th instant, in which it is stated that a memorial has been sent to the Lords of the Treasury containing grave charges against certain persons therein named in connection with the acquisition by the Government of the United Kingdom Electric Telegraph Company in 1869, and asserting, amongst other things, that by the award made in that transaction the revenues of the country were defrauded to the extent of over £400,000; and, whether it is true that a memorial of this nature has been received by the Lords of the Treasury; and, if so, whether he will lay a Copy of it upon the Table of the House, together with the reply of the Government thereto?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that a Memorial of the character mentioned in the Question was received at the Treasury a short time ago, and had been referred to the Postmaster General for his Report. The Report had just been received, but, for want of time, had not yet been examined. He had not himself read the Papers; but they would, of course, receive due attention.

MR. FORTESCUE HARRISON gave Notice that in consequence of the answer of the right hon. Gentleman he should repeat his Question in a fortnight.

CIVIL SERVICE (INDIA).—QUESTION.

MR. HERSCHELL asked the Under Secretary of State for India, Whether it is the fact that the Indian Government has issued an Order forbidding all Civil Servants employed in India from concerting any Petitions or Memorials to the Crown or Government, and from employing any form of Petition adapted for general use, under pain of the severe displeasure of the Government; and, if so, whether he will lay a Copy of such Order upon the Table of the House.

Mr. E. STANHOPE, in reply, said, that such an Order as that referred to was issued two years ago, containing rules similar to those in force in the Military Service. If the hon. and learned Member wished to see it, and moved for a Copy of the Order, it would be produced.

STATE OF THE COUNTRY—THE DURHAM STRIKE.—QUESTION.

Mr. BURT asked the Secretary of State for the Home Department, If his attention has been called to a report that the proprietors of Philadelphia and New Harrington Collieries, in the county of Durham, have ordered to be made in the colliery workshops fifty police staves or batons, which are four inches longer and much heavier than the ordinary staff used by the police force; and, if he can say whether such report is true; and, if true, whether or not it is legal for such weapons to be thus enlarged?

Mr. ASSHETON CROSS, in reply, said, he had received a Report from the Chief Constable on this matter, in which he said he thought there must be some mistake, because, so far as the officials of the collieries were concerned, he could only find that 12—not 50—staves had been made. They were no longer, but rather thicker, and barely one ounce heavier, than the ordinary staves used by the police. It was a great pity, he thought, that they should have been made larger at all; but they had not been used by the police, and the ordinary staves were issued to special constables when they were sworn in. In answering the Question, he could not refrain from making two remarks. In the first place, he could not sit down without expressing his great regret that there should be any continued dispute upon this question of wages, which he hoped might speedily be settled; and, in the next place, he was bound, not only for the credit of the masters, but also for the credit of the workmen, to say that any appeal to force on either side would be a disastrous and fatal thing.

FRANCE—THE COMMERCIAL TREATY —THE "SURTAXE D'ENTREPOT."

QUESTION.

Mr. MAC IVER asked the Under Secretary of State for Foreign Affairs, Whether the "Surtaxe d'entrepot" charged by France under the existing Commercial Treaty is practically equivalent to a protective Duty of about 24*s.* per ton against all Foreign produce imported into France viâ Great Britain; and if he can give the House an assurance that the abolition of this impost will be insisted upon in the negotiations for any new Commercial Treaty?

Mr. BOURKE: Sir, in answer to the Question, I have to state that the amount of the surtax is undoubtedly correctly stated by the hon. Member, and I do not think there can be any doubt that it is a protective duty in favour of direct navigation, whether under French or foreign flag, between the place of production and France, but it is not a differential charge exclusively Great Britain; it is charged, without exception, upon all nations and all shipping alike, on goods imported into France *viâ* any third country. With regard to the latter part of the Question, I do not think it would be prudent, besides at the same time being very inconvenient, for me to give any assurance beforehand of the nature of the conditions which Her Majesty's Government would require in negotiating for a new Treaty.

Mr. MAC IVER gave Notice that on an early day he would call attention to the existing Commercial Treaty under which France exports to England to the value of about £45,000,000 annually, while placing such restrictions on our commerce that we are only able to send manufactured goods to the value of about £14,000,000 in return, and foreign and colonial produce to the value of about £11,000,000, and move a Resolution.

EGYPT—RUMOURED DEPOSITION OF THE KHEDIVE.—QUESTION.

Sir JULIAN GOLDSMID asked Mr. Chancellor of the Exchequer, Whether he has seen the statement appearing in the "Times" of Thursday the 24th instant, as follows:—

> "The offer made by the Sultan to depose the Khedive and appoint Halim Pasha, an offer which despite all denials has really been made, is still under consideration. The next Cabinet Council in London is expected to decide whether it shall or shall not be accepted. The Sultan will probably be asked to agree to the two Powers taking note of his proposal, reserving their acceptance of it whenever they shall judge it necessary to ask for its being carried out;"

and, whether there is any, and, if any, what truth in that statement?

The CHANCELLOR of the EXCHEQUER: Sir, I have seen the statement in *The Times* to which the hon. Gentleman refers; but I am unable to give him any information with regard to confidential communications which we have received from Foreign Powers.

SOUTH AMERICA—CHILI AND PERU—HOSTILITIES.—QUESTIONS.

Mr. ANDERSON asked Mr. Chancellor of the Exchequer, What steps Government is taking to maintain the neutrality of this Country in the South American War; and if he is aware that munitions of war are arriving from New York at Glasgow for reshipment to Valparaiso for the use of the Belligerents?

The CHANCELLOR of the EXCHEQUER: Sir, I understand that the Law Officers of the Crown are now considering the propriety of advising Her Majesty to issue a Proclamation of Neutrality. With regard to the second part of the Question, I had no information up to one moment ago as to the circumstance of Glasgow. I had caused inquiry to be made, and while the Question was being put, I had this communication put in my hands—

> "293 cases of ball cartridge marked A and B, and addressed to certain persons at Valparaiso, were landed from the steamer *Kate*, of Indiana, from New York, and were yesterday forwarded to Liverpool by the steamer *Sardonyx*."

Mr. ANDERSON: Will the right hon. Gentleman take some steps to intercept these cartridges, or do something at Liverpool to prevent their going on to the belligerents?

The CHANCELLOR of the EXCHEQUER: I do not know whether we have the power to do so.

CRIMINAL LAW—CASE OF THOMAS MORAN.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether his attention has been called to a report of a case tried on Wednesday at the Chester Police Court and published in Thursday's daily papers, in the following terms:—

> "Thomas Moran, labourer, was summoned for neglecting to contribute towards the support of his children in the workhouse. The relieving officer said the defendant's children—six in number—were admitted in September, Moran at the same time agreeing to pay 10*s.* weekly towards the cost of their maintenance. Up to the present time he had only paid 14*s.* His wife was in an asylum. Moran said, about a fortnight after the children entered the workhouse, he was laid up ten weeks through an accident. When he got better the frost set in, and he could obtain no work for thirteen weeks. Through his long illness he got into debt; but he had paid the guardians as much as he could. An entry in the police book showed that Moran was carried to the infirmary on a stretcher in September. Notwithstanding this, the magistrates sentenced the defendant to a month's hard labour. The defendant burst out crying, exclaiming 'For God's sake, gentlemen, give me a chance! I was never in prison; if you send me, I'll lose my work; if you give me time I'll pay all.' He was, however, removed below, still appealing bitterly for mercy;"

and, whether the report is substantially accurate; and, if so, whether taking into consideration the facts of the case, he will advise a remission of the sentence?

Mr. ASSHETON CROSS, in reply, said, that he had made inquiries, but did not expect to receive any answer to them until to-morrow morning. He would trust, in the meantime, that the case had been exaggerated by the newspapers. If it were correct, he thought the case was one which demanded serious consideration; and he hoped the House felt that it could be left with safety in his hands.

Colonel BERESFORD wished to say that he had received intelligence from the Precentor of Chester Cathedral that subscriptions had been collected to defray the amount owed by Moran, and that he had been asked to apply to the Home Secretary for the release of the imprisoned man.

Mr. ASSHETON CROSS said, he really must appeal to the House whether anything more should have been said after the reply which he had given. He did not think the question should be brought forward now for decision. He intended to deal with the matter to the best of his ability, if the House would allow him, and he hoped he was fit to do so. If he should deal wrongly with it, the House would be able to call him to account.

SOUTH AFRICA—THE ZULU WAR—THE COMMAND IN SOUTH AFRICA.

QUESTION.

MR. E. JENKINS asked Mr. Chancellor of the Exchequer, Whether he is now prepared to name a day for the discussion of the Motion relating to the command in South Africa? He had been unable by the ordinary methods to obtain an opportunity for the discussion of the Motion, and as the right hon. and gallant Gentleman the Secretary of State for War had relegated his statement on the command in South Africa to the debate upon the Motion which he (Mr. Jenkins) desired to bring forward, he thought it would be but just if the Chancellor of the Exchequer were to give him a day.

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was sorry that he could not propose at that moment to give a day to the hon. Member. He would not finally answer the Question, however, until he had conferred with his right hon. and gallant Friend the Secretary of State for War.

THE BANKING BILL.—QUESTION.

MR. SAMPSON LLOYD asked Mr. Chancellor of the Exchequer, When the Government Banking Bill will be in the hands of Members; and, whether the second reading will be fixed for such a date as to give the Country at least seven days for its consideration?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he believed the Bill in question would be in the hands of hon. Members to-morrow morning. He would undertake to promise that the second reading of the Bill should be fixed at such a date as would allow the public at least seven days for the consideration of the measure.

CENTRAL ASIA—PERSIA AND HERAT.

QUESTION.

MR. C. BECKETT-DENISON: Sir, I wish to ask the Under Secretary of State for Foreign Affairs a Question of which I have given him private Notice—namely, What information the Government possess regarding the reported designs of Persia upon Herat, and the despatch of a military force from Meshed in the direction of Herat?

MR. BOURKE: Sir, the information we have received on the subject does not lead us to believe that the reported operations have been undertaken.

EAST INDIAN LOAN (£2,000,000).

QUESTION.

In reply to Mr. CHILDERS,

THE CHANCELLOR OF THE EXCHEQUER said, he was unable at that moment to name a day for the resumption of the debate on the proposal to raise an East Indian Loan. On Thursday the Army Discipline Bill would be taken, and he proposed to ask the House on Tuesday week, the 6th of May, to allow the Government to fix a Morning Sitting for the discussion of the Valuation of Property Bill.

ORDERS OF THE DAY.

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CLARE COUNTY WRIT.

Report from Select Committee on the Clare County Writ *considered.*

MR. ASSHETON CROSS, in rising to move—

> "That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf,"

said: It is not my intention to take up the time of the House at any length; but, as one of the Committee appointed to consider the Clare Writ, I think it is right I should say a few words in moving what is practically a Resolution for the adoption of the Report of the Committee. The Committee were appointed, the House will remember, to inquire whether the Member for the County of Clare (Sir Bryan O'Loghlen) has, since his election, accepted an Office of profit under or for the Crown, and whether he had thereby vacated his seat? The first remark I wish to make on this Reference is that I do not think any question was referred to the Committee as to the policy of the Statute, or the intention of the framers of the Statute in relation to it. The simple question we had to determine was "aye," or "no," did the case fall within the words of the Statute? That being the question referred to us, and the only one referred to us, we have answered it as clearly and distinctly as it is possible for us to do. I have heard it said that we ought to have given reasons for our decision. With that opinion I entirely differ. What we were bound to give was a correct view of this case. When the question comes to be debated in this House, we are ready to give the reasons which led us to the conclusion at which we have arrived; but the duty the House cast upon us was simple, and it was to state whether, in our opinion, Sir Bryan O'Loghlen had a place of profit under the Crown, and whether he had forfeited his seat in consequence? These were the two points we had to decide. I think, Sir, in justifying the Motion which I am about to bring forward, I may take one or two things for granted. In the first place, there can be no doubt whatever that Sir Bryan O'Loghlen did accept the Office of Attorney General of the Colony of Victoria since his election by the County of Clare; and I think it may also be taken as abundantly clear that the Office of Attorney General of Victoria was, at all events, an office of profit. Therefore, the questions we have to decide are simply these—whether, first, that Office is a place of profit under the Crown; and whether, further, the acceptance of that Office vacates the seat? I wish to add, first, that I do not think we have anythink to do with any other office or any other appointment in that Colony, or any other Colony. The whole question referred to us was limited to this particular Office of the Colony of Victoria; that was the only subject-matter with which we had to deal, and we had nothing to do with any other office or any other Colony. It is hardly necessary for me either to discuss the words "for the Crown;" and I think it will be quite sufficient if, in the few observations I have to make, I inquire whether this is an Office or other place of profit held under the Crown? I do not suppose that anyone will for a moment contend that simply because there was no Sign Manual from the Crown for the appointment, and Sir Bryan O'Loghlen was appointed in the Colony by the Governor, that, therefore, this was an appointment by the Governor as distinguished from the Crown itself. Anybody who looks at the terms of the appointment of the Governor of the Colony, and the oath to be taken by him, and the Act of Parliament which regulates the Victorian Legislature, cannot doubt for a moment that, whether this was a place of profit or not, at all events, Sir Bryan O'Loghlen was appointed under the Crown. Anyone who looks further into the question will see that there is a very important question to be decided in relation to this appointment, which seems to me absolutely conclusive on this first question, and that is the source of the funds from which the emoluments of the Office are paid. Upon that point, I would refer hon. Members for one moment to the Act of the Victorian Legislature confirmed by an Act of the Imperial Parliament of 1855. According to Clause 46 of that Act, it will be seen at once that this is practically a payment to the Attorney General out of the sums of money voted to the service of Her Majesty in lieu of the waste lands of the Colony, and which, practically, constitute the Civil List of the Colony. The 46th section of the 55th chapter of the 18 & 19 *Vict.* says—

> "There shall be payable in every year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenue of Victoria, the several sums, not exceeding in the whole one hundred and twelve thousand seven hundred and fifty pounds, for defraying the expenses of the several Services and purposes named (in certain parts of the Schedule marked D) and the said sums shall be issued by the Treasury of Victoria in such sums as shall be from time to time directed to him under the hand of the Governor, and the said Treasurer shall account to Her Majesty for the same, in such manner and form as Her Majesty shall be graciously pleased to direct; and accounts in detail of the Expenditure of the several sums expended under the authority of this Act shall be laid before the Legislative Houses of Victoria within thirty days from the beginning of the season next after the termination of the year in which such Expenditure shall have been made."

Turning to the Schedule D of the Statute, in the third part we find these words—"Part 3, Colonial Secretary or Chief Secretary, £2,500. The Attorney General"—the Office in question, and several others—"£2,000 each, £10,000." Thus you have it, in fact, under the Act, that the Attorney General for the Colony of Victoria is paid out of the moneys granted to the Crown in lieu, no doubt, as the Statute shows, of the waste lands belonging to the Crown, payable to Her Majesty and the Treasury of England. The Statute not only says that, but, as we have seen in the Schedule, it expressly gives, as one of the Offices to be paid out of the funds paid by the Colony in this way, this Office of the Attorney General of Victoria. I do not think anyone looking at the terms of the Act of Parliament can doubt that. We find, then, that this is a place of profit under the Crown, and that the Schedule furnishes the clearest possible evidence of it. It is especially applicable simply to the Office of Attorney General, and other persons named in the Schedule, which, no doubt, makes this case different from that of other officers of the Crown to which at the present moment we are not referring. When we talk about the person of the Attorney General of the Colony of Victoria, what do we mean? There can be no such Office as that of the Attorney General for the Colony. He represents Her Majesty quite as much as the Attorney General for England; he is, practically, the Attorney General of Her Majesty in the Colony—the personal Representative of Her Majesty, paid in the way I have described. I do not wish to press this argument further than it ought to be pressed; but, at all events, it is worth asking in what light the Colonists themselves view this question. There can be no doubt, so far as the Colony of Victoria is concerned, that the Colonists themselves have treated this as an appointment under the Crown, for they required Sir Bryan O'Loghlen to vacate his seat on his appointment. I think, then, that I have shown that the Committee had ample ground for considering that this was an Office of profit, held under the Crown. The next, and the only other question we have to decide was, did the acceptance of the Office vacate the seat for the County of Clare? Since the Union of England and Ireland, an Act of Parliament made the same disability apply to the Imperial Parliament, as applied either in the English or the Irish Parliament. If we go to the Statute of Anne, we find that it speaks of rendering incapable of election any person who shall have "any new office or place of profit whatsoever under the Crown." Those are the exact words. I fully admit, so far as is necessary for the purposes of the argument, that if there were any reasonable doubt of the meaning of the Statute, it would be better to define the meaning of the Legislature by an Act. But, in this case, the words of the Statute are as clear and unmistakable as words can be; and we have, therefore, nothing whatever to do but to say, as a matter of fact, the circumstances submitted to us bring the case within the words of the Statute. If they do, *cadit questio*, and in the opinion—the unanimous opinion—of the Committee that was the case, I do not think I need take up the time of the Committee further. I have stated the case very shortly; but I hope I have stated the main facts. I want, in conclusion, to say one word about the Amendment which my hon. Friend the Member for Rochester (Sir Julian Goldsmid) is about to move. The first Amendment of which he gave Notice was a peculiar one. It was—

> "That considering that the Committee have given no reasons for the conclusion arrived at, and that the evidence was against that conclusion, it is undesirable to decide by Resolution so important a question involving the status of Members of this House."

I cannot agree with that; I think the evidence was conclusively in our favour. But the hon. Member has entirely changed his mind; he has thrown over his former words, and now presents to the Committee a totally distinct Resolution. The issue he now presents is this—

> "That, considering it is undesirable to decide by Resolution a doubtful question of grave importance involving the status of Members of this House, it is expedient that a Bill should be brought in to settle the Law relating to the disqualifications caused by accepting Colonial offices."

Well, I differ from that Resolution. I do not think it is a doubtful question at all. I think it is perfectly clear, if the House looks at it in the same light as I do. As to the Committee not having given reasons for their decision, it is not the habit or custom of Committees of this House to give reasons for their decisions. As to the proposal that an Act should be passed to settle the law, you cannot legislate retrospectively. The question is simply whether Sir Bryan O'Loghlen, as a Member of this House, is disqualified? If he is, you cannot by legislation alter his status. Therefore, so far as he is concerned, if the House is of opinion that he is disqualified, it is bound to pass that judgment. Whether it would be wise to say that there are other persons in other Colonies who may be in a different position to the Attorney General, and whether we should do wisely to come to some arrangement as to their status, is a totally different question, which does not affect the point at present between us. We have simply now to decide, "aye" or "no," whether this unanimous Report of the Committee should be practically accepted. I think it should, and I thereby beg to move the Resolution of which I have given Notice.

Motion made, and Question proposed,

"That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf."—(*Mr. Secretary Cross.*)

SIR JULIAN GOLDSMID, on rising to move, as an Amendment—

"That, considering it is undesirable to decide by Resolution a doubtful question of grave importance involving the status of Members of this House, it is expedient that a Bill should be brought in to settle the Law relating to the disqualifications caused by accepting Colonial offices,"

said, he was aware that this subject was of a somewhat dry and technical nature; therefore, he claimed for a few minutes the indulgence of the House, while he endeavoured to state what appeared to be the arguments on his side of the question. He thought it was desirable that if there was any doubt in the matter, that doubt should be expressed in this House and not out-of-doors. The propositions which he proposed to endeavour to prove in a few words were two. The first point, then, was to show that some doubt did exist—he believed he might put it stronger, and say there was very considerable doubt—in this matter, notwithstanding the statement of the right hon. Gentleman the Home Secretary (Mr. Assheton Cross). The second thing which he had to prove was, that if there was a doubt in this matter, a doubt of such a kind ought not to be settled by Resolution, but by an Act of Parliament. Before proceeding further, it was proper that he should state briefly the reasons which induced him to alter the terms of his Resolution. The House of Commons would remember that when the right hon. Gentleman the Home Secretary first gave Notice upon this matter, he (Sir Julian Goldsmid) simply gave Notice that he should oppose the Resolution which it was intended to bring forward. Subsequently, he was informed by the Clerk at the Table that such a general Notice of opposition could not be placed upon the Notice Paper. He was, on account of circumstances with which it was needless to trouble the House, very much occupied upon that particular day, and on receiving that information he was only able in a very hasty manner to prepare a Resolution. That was on the last day before the Easter Holidays. When he came to consider the matter calmly in the Recess, he saw that his Resolution reflected too strongly upon the Committee, a Committee consisting of Members whom they all respected, and who were justly considered high authorities upon such matters. Therefore, immediately after the Holidays, he gave Notice of the Amendment now standing in his name. He thought the right hon. Gentleman the Home Secretary would consider that that was a proper explanation of the change he had made in the terms of his Amendment. Now, he thought also that the right hon. Gentleman and the House would agree with him that there should be no personal question in this matter. They ought not to look to the person interested—Sir Bryan O'Loghlen—but to the principle involved; and he knew sufficient of hon. Members who came from Ireland, and who generally sat near him, to say that if he raised, as he thought he should, considerable doubt with regard to the allegations of the Home Secretary, they would admit he was fully within his right, and that it was a question which ought to be fairly argued in the House, and that no temporary advantage which they might gain by the seat being vacated ought to influence them in considering this important and Constitutional matter involving the status of individual Members. Well, now, the question was this—Did the case come, as the Home Secretary had stated, under the Statute of Anne, 6 *Anne*, c. 7, or under the Irish Statute, 33 *Geo.* III. c. 41, by which persons accepting new offices or place of profit under the Crown vacated their seats, and were rendered incapable of being elected or of sitting and voting as Members of the House of Commons? Now, perhaps it was only right, in a matter of this kind, to give the opinion, taking it for what it might be worth, of a legal authority who himself was much concerned in this question. On referring to the Report of the Committee of last year, he found that the right hon. Gentleman the Home Secretary brought up a telegram from Sir Bryan O'Loghlen himself, which contained his legal opinion on the case, and as it was of some little importance, he intended to read that telegram to the House. Sir Bryan O'Loghlen telegraphed to the Home Secretary—

> "Office beyond seas and not direct from Crown. Is outside Statute, and does not vacate seat. Examine Erskine May."

At least with one part of the telegram the Committee concurred, because as last Session they did not examine the high authority Sir Bryan referred to, this Session they had thought it right and proper to do so. Notwithstanding the terms of the appointment of the Committee, which had been read to the House, the real point to be decided was, whether the Attorney Generalship of Victoria was a new Office under the Crown within the spirit and meaning of the Statute? He desired to ask a moment's consideration of the words "within the spirit and meaning of the Statute." The Committee were of opinion that the Office did come within the spirit and meaning of the Statute. At least, he imagined they were of that opinion. The right hon. Gentleman had told them they had not thought it necessary to give any reasons. That, he was informed, arose from a very simple cause. Every Member of the Committee had different reasons, and to have detailed them would have involved a Report of such extraordinary length and complexity, that it would have been impossible to arrive at a satisfactory conclusion. But he said that the Committee had arrived at a conclusion, and he supposed it was that the appointment of Sir Bryan O'Loghlen came within the spirit and meaning of the Statute—under the Statute of Anne, or, at least, under the Irish Act. If they had arrived at that conclusion, they were right in their second conclusion—namely, that Sir Bryan O'Loghlen by his appointment had vacated his seat. This Committee consisted of Members whose authority the House of Commons was accustomed to revere. The right hon. Gentleman opposite (Mr. Walpole) who had filled the Office of Home Secretary, and who knew much about Constitutional practice, was a Member of the Committee. His hon. and learned Friend the Member for Oxford (Sir William Harcourt), who had always been devoted to Constitutional Law, also had a place thereupon; and he (Sir Julian Goldsmid) would not be disposed without very great doubt to challenge anything such Gentlemen might have said in a position of responsibility such as this. But he could not help making just one remark in regard to the constitution of the Committee. There were only two non-official Members on that Committee—the hon. and learned Member for Louth (Mr. Sullivan) and the noble Lord the Member for Bury St. Edmunds (Lord Francis Hervey)—the latter of whom, if his health had permitted him, would have been present that evening to second the Amendment he (Sir Julian Goldsmid) was proposing to the House. He regretted that the noble Lord's health did not permit him to attend; but, however, another hon. and learned Friend (Mr. Osborne Morgan), of great ability and knowledge on this subject, would take the noble Lord's place. Those were the only two non-official Members of the Committee. One was intimately connected with the Irish Party, and was, of course, more or less in a position of official responsibility; and, consequently, the only independent Member of the Committee was the Member who entirely concurred with him in the view he took in this matter. In order to fairly consider this matter, he should like the House just for one moment to examine what was really intended by the Act of Anne. He thought the object and purpose of the Act of Anne was to prevent a practice which had then begun, and which it was feared might seriously increase—namely, the creation of new nominal appointments for the purpose of influencing votes in the House of Commons. In the days of which he was speaking—the commencement of the last century—Ministers were not as honourable and independent as they were now, and the House of Commons was not so entirely free from other influences as it was today, and the object of the Act of Anne was that there should not be any creation of new nominal offices which had no other purpose but the securing of votes in the House of Commons. That was an object which they all admitted was a right and proper one, and which ought, indeed, to be carefully observed. The right hon. and learned Attorney General for Ireland (Mr. Gibson) had prepared an able Memorandum, which showed the law on this matter; but there were other considerations, if the right hon. and learned Gentleman would allow him (Sir Julian Goldsmid) to say so, besides those he had placed before the House. First of all, were there no cases which governed this matter? Search was made, on the suggestion of the Committee, into everything which might be supposed to bear upon the question at issue. Mr. Bramston, a high official at the Colonial Office, brought up every possible appointment of a Colonial character, in order that the Committee might ascertain whether there was any precedent or not. But they were utterly unable to find a precedent. Every appointment to which Mr. Bramston reverted, and with regard to which the Committee had evidence, was a case either of direct appointment under the Privy Seal, or under the Great Seal, and, therefore, direct from the Crown, or else an appointment by the Governor of a Colony upon a Warrant received from the Colonial Office in England, and, consequently, an appointment which was directly suggested by the Government. Mr. Bramston himself very fairly admitted that he really could not find any case whatever which governed this matter. What went further in that direction was that several of the appointments which had been made at that time, and which were called Colonial appointments, did not even require the nominee to go out to the Colony to which he had been appointed. They were Colonial appointments which could be held in England; they could be held without absence from England, and by persons attending to their duties in the House of Commons—therefore, obviously amenable to the influence of Ministers at home. It would be clear to the House that, under these circumstances, such Colonial appointments could not be construed into a precedent for this case. He now came to a very much more important point. The Victorian Colony was established as a self-governing Constitutional Colony by the Act of 1854 of the Colonial Legislature, confirmed by the Act of 1855 of the Imperial Parliament; and, in his view, that entirely altered the relations of the Colony both to the Ministers and to the Crown at home. Before that time, everything had been done from the Colonial Office; after that time, as he understood it, it was the intention of the Parliament and of the country to say to the Colony—"You are now in an independent position; you are capable of managing your own affairs yourselves; we do not desire in any way to interfere with you, but all we wish to do is to retain the friendly relations between the Mother Country and the Colony which have hitherto existed, and we will give you, in the person of a Governor appointed from home, a nominal Sovereign, which will get you out of the possible difficulty of having to elect your own President." His argument was this—that by the Victorian Constitution the Colony was established in a position independent of the Home Government, and dependent alone on the Sovereign. Consequently, things did not appear to be in the position the right hon. Gentleman had endeavoured to lay down. The 18 & 19 *Vict.*, c. 55 contained in its Appendix the Act of 1854 establishing the Victorian Constitution, and he wished to read to the House the 18th section of that Act. The Home Secretary had referred to it, and for the purposes of his (Sir Julian Goldsmid's) argument, he was at liberty to allude to it. The 18th section of the Act of 1854 recited—

> "Of the following officers of Government for the time being:—that is to say, the Colonial Secretary or Chief Secretary, Attorney General, Colonial Treasurer or Treasurer, Commissioner of Public Works, Collector of Customs or Commissioner of Trade or Customs, Surveyor General or Commissioner of Crown Lands and Survey, and Solicitor General, or the persons for the time being holding those offices, four, at least, shall be Members of the Council or Assembly."

And, in Section 37, it went on to say—

> "The appointment to public offices under the Government of Victoria, hereafter to become vacant, or to be created, whether such offices be salaried or not, shall be vested in the Governor, with the advice of the Executive Council, with the exception of the appointments of the officers liable to retire from office on political grounds, which appointments shall be vested in the Governor alone.

Now, these two sections must be read together, and it will be seen that the Governor, by the advice of his Council, appointed all the Members of the Ministry, except what might be termed the political Members, and the appointment of these rested with the Governor alone. Was it not obvious, therefore, that what was intended by that was that the

Council should be responsible for all those persons who were non-political, and that the political Members of the Governing Body should be under the control of the Constitutional Assembly of the country, just in the same way as the right hon. Gentleman the Home Secretary was under Parliamentary control here. It was their duty to remember what the system was by which, even in England, the Prime Minister was selected. It was not by the choice of the Crown, it was not by the country that he occupied his position; but he directly obtained it in consequence of his being the Chief or Leader of a Party which commanded the confidence of the nation. Though the Prime Minister, like the other Members of the Government, was appointed by the Crown, he was practically elected upon the nomination of the political Assembly of the country, and all the other Members of the Government were appointed by the Crown, upon the proposal of the first Gentleman, who, as Leader of the Party, had become Prime Minister. The position of England in such matters was perfectly clear, and so was that of the Colony of Victoria. Since the passing of the Victorian Constitution Act, Victoria was exactly in the same position as England. The Victorian Ministry was elected on the principle of Parliamentary majorities; and its Members were, therefore, independent of the Home Government, or of a vote in the English Parliament. In fact, he would go further, and say that the Ministers so appointed on the principle of Parliamentary majorities were as independent of the Colonial Secretary or the Prime Minister in England as the English or Irish Attorney General were independent of Mr. Berry, the Prime Minister of Victoria; and his (Sir Julian Goldsmid's) argument was that, in consequence of the Victorian Act, the Constitutional system of Government had been established, and the Victorian Council was in the same position and under the same Parliamentary control as the Government of England. The appointments which were referred to by the Statute of Anne were appointments "under the Government at Home" of Gentlemen who were Members of the British Parliament. But this was an appointment, "not under the Government at Home," of a gentleman who was a Member of the British Parliament; consequently, it appeared to him that the Government at Home had no more power, in consequence of this appointment, to exercise influence over Sir Bryan O'Loghlen sitting in this House than they had the power to influence the vote of any non-official Member who was non-official so far as they were concerned. And why so? Because they had had nothing to do with the appointment. At an early part of his speech he referred to an eminent Constitutional authority recommended by Sir Bryan O'Loghlen; and he thought the evidence of that gentleman went far to support the argument he had put before the House. He did not wish to weary the House unnecessarily with this very technical matter; but he did think it right to refer to an opinion expressed by the right hon. Gentleman the Chief Secretary for Ireland, who was formerly Under Secretary of State for the Colonies (Mr. J. Lowther). The Chief Secretary for Ireland, in that admirably cool and imperious manner which they all knew and admired, suggested to Mr Bramston that, practically in law, the Colonial Secretary did control the appointment of Ministers in the Colony itself; and he believed that the Chief Secretary in the next suggestion went so far as to say that Ministers practically could not be appointed to the Colony without their names being first submitted to the Colonial Office if the Colonial Office wished it. That had caused him (Sir Julian Goldsmid) considerable astonishment, because he could not help thinking this—that if the Governor of the Colony were to delay the appointment of Ministers recommended by the Colonial Prime Minister, who had been selected upon Constitutional grounds, until permission had been obtained from the Home Government, such a storm would be created in the Colony that very serious consequences might ensue. That brought him to this point—his argument was, that the only power of control which the Home Government had was to remove the Governor. They might be dissatisfied with the Governor's actions; but he ventured to say they could not interfere with the decision of the Governor in the selection of Ministers. If, at any time, they meant to do what the right hon. Gentleman suggested, he feared they would have one of those terrible commotions which might ultimately lead to a severance between the Colony and the Mother Country. He thought, therefore, that he had shown that upon the points he had ventured to submit to the House there was considerable doubt and room for much argument. Now, it was right he should come to what the right hon. Gentleman called his Civil List argument. In respect to that matter, Section 46 of the same Act said—

> "There shall be payable in every year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenues of Victoria, the several sums, not exceeding in the whole £112,750, for defraying the expenses of the several Services and purposes named in the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th part of the Schedule to this Act annexed, marked D."

Having read this, he turned to the Schedules of the Act, and what did he find? The right hon. Gentleman had thought it proper to read only one; but he (Sir Julian Goldsmid) would tell the House what was contained in the whole eight. The first contained provision for the Governor's salary, and for the salaries of the Staff, and for the repairs of the Government House; the second contained provision for the payment of Judges; the third for the payment of political Ministers; the fourth for the payment of the Clerk and the expenses of the Executive Council, for the Clerk and the expenses of the Legislative Council, and for the Auditor General; the fifth for pensions to Officers appointed during good behaviour; the sixth for compensation to the incumbents of offices in Part 3; the seventh for certain pensions; and the eighth for public worship. Now, he thought the simple enumeration of that List went to show this, at least—that therein was provided payment for nearly all the important branches of the Government of the country; not only the persons, but, he might even say the things, and things not so absolutely under the control of the Home Government as the right hon. Gentleman appeared to urge. But certainly this he thought was obvious—that, as Schedule D. comprised not only political persons, but also the non-political persons—the persons who were appointed by the Governor through the advice of his Executive Council, as well as those appointed by the Governor alone—what applied to the one class applied to the other; and he could not see, though he had searched the Acts through, that the "power of control," as the right hon. Gentleman called it, over the Civil List, now the Victorian Corporation Act was passed, at all affected the position of this Gentleman. And in a moment he would show the right hon. Gentleman why, upon a clause which he should have to read, and still more so, when he remembered that the right hon. Gentleman had coupled the words to which he had already drawn attention with the words "not exceeding on the whole." Why did he say that? For this reason. Section 48 of the Act went on to declare—

> "It shall be lawful for the Governor to abolish any of the offices named in the 3rd and 4th parts of the said Schedule."

What did that mean? It meant that if the Ministry for any reason, such as did occur sometimes, thought it was desirable to abolish some of the existing offices, they might have the right to do so. Consequently, he thought that, under these circumstances, the argument of the right hon. Gentleman hardly applied. He knew there was a latter part to that section; but that applied to a different state of things. The words were—

> "Or to apply the sums thereby appropriated to such other purposes connected with the administration of the Government of Victoria as to Her Majesty, Her Heirs and Successors, shall seem fit."

He might say that these latter words applied only to the appropriation, for a very simple reason—that in all appropriations of money in Acts of Parliament, both here and in the Colony, the saving clause, "as to Her Majesty, Her Heirs and Successors, shall seem fit," was inserted; but no such saving clause was ever put in as to the abolition of an office, and, consequently, those words only applied to the latter part of the section and not to the earlier. *Ergo,* the Governor alone could abolish this Office, and, consequently, the argument of the right hon. Gentleman with regard to the Colony and the Home Government came absolutely to *nil;* for if it could be abolished by the Colonial Government without the sanction of the Home Government, the right hon. Gentleman's argument fell to the ground altogether. That was further confirmed by Section 55. That section said—

> "The balance of Consolidated Revenue shall be appropriated as may be decided by such Legislature."

That was to say, supposing the whole amount voted to the Consolidated Fund was not disposed of, the Legislature should dispose of it; but it must, under Section 57, have been permitted by a Message from the Governor. That was exactly on the same principle as here in the House of Commons, for they could not vote away money, unless it had been recommended to them by the Government itself to do so. Consequently, it appeared to him, as far as he could see, that the parallel was complete, and the argument was conclusive, that those Offices did not come under the absolute control, that the right hon. Gentleman appeared to think, of the Governor of the Colony, because the Governor was responsible to his Council simply. Therefore, he thought he had proved this, at least—that in the Colony of Victoria there existed a state of things such as never could have been contemplated by the Act of Anne. The Act prepared them for a method of influencing votes in the Home Parliament by what he ventured to call Parliamentary corruption; but there was no question of influencing votes in that House by the appointment by a Colonial Governor in a Colony which was self-governing of a gentleman who had been recommended to him by his Constitutional Prime Minister; and so far as he could see, in the spirit and meaning of the Act to which he referred in the commencement of his observations, no such thing was ever intended or could possibly be comprised. Now, he should have done in a minute or two; but as the point had been raised by the right hon. and learned Gentleman the Attorney General for Ireland, with regard to the Irish Act to which he had referred, he thought it was only right to say one word. The Lord Lieutenant of Ireland, as they knew, could appoint certain officers, and upon that argument, to which he should refer directly, an Act was passed in the reign of George III. which, in the opinion of some, merely set out the law, and in the opinion of others, altered it, and which had the effect of disqualifying persons so appointed by the Lord Lieutenant from sitting in the House of Commons. But the spirit of that Act was this—the Lord Lieutenant governed a portion of this Kingdom which returned Members to this House. The Lord Lieutenant was appointed by the Crown for the purpose of governing a part—an integral part—of the Dominions of this Empire, and the part which he governed had its fair share of representation in this House. Consequently, no parallel could be drawn as between the position of the Lord Lieutenant and the position of a Colonial Governor, having a separate Constitutional Government and a separate Constitutional Assembly. No parallel of any such kind could exist, and therefore it appeared to him that, from that point of view, the argument could not hold water. But the Act of Anne, and the Act 41 *Geo.* III., c. 52, did not apply to these Irish cases, and, consequently, two Acts were passed, to which he would now refer for one moment. Before he did that, perhaps he ought to say—because he did not want to omit any argument which the right hon. Gentleman used—the right hon. Gentleman stated that the Colonists themselves had looked upon this case as coming under the Act, because the Gentleman in question had vacated his seat in the Colony. The argument of the right hon. Gentleman was, that the Attorney General of the Colony of Victoria was appointed subject to the Colonial Legislature and the Colonial law, and by the Colonial law he vacated his seat in the Colonial Assembly, exactly in the same way as a Gentleman holding Office in this country vacated his seat in the Home Parliament. His (Sir Julian Goldsmid's) contention, on the other hand, was that the vacation of the seat in the Colonial Parliament rather went to prove the reverse of what the right hon. Gentleman said, and that as it was an appointment under the Crown there, it could not be in the same sense an Office under the Crown here; consequently, if the argument acted for any side, it was rather good for him and against the right hon. Gentleman. Now, he said this—that if the matter was to be considered on general principles it was certainly undesirable to strain the Act of Anne so as to make it apply to this case, for the simple reason that the Colony might desire to be represented in some way or other in this House. A Gentleman who happened to be a Member of the Imperial Parliament, and a Member also of the Victorian Assembly, might, perhaps, have a little more weight with the Colonial Minister; he would be able to take an independent view of questions, and would be by no means under the control of the Ministry at home; and that condition of things might be exceedingly desirable. So far as he (Sir Julian Goldsmid) could see, a Colonial official would rather come as an opponent than as a supporter of the Government, by reason of the position he held. As he had said, with regard to the two Irish Acts, he thought that in the observations he had made he had proved at least that there was a great deal to be said on the other side of the question; that the argument of the right hon. Gentleman was not so convincing as he thought; and that some of them who had thought this matter over from a general point of view shared the opinion that there was very considerable doubt in the matter; and, for his purpose, that which was all he ventured to state at the outset he should endeavour to prove. That was proved by the two Irish Acts—38 *Geo.* III. c. 36, and 41 *Geo.* III. c. 52. It was said that the latter Act was passed because there was a doubt. He did not agree with that argument; but he accepted it, just for a moment, and he said if that was so, if it was passed because there was a doubt upon this matter, that went equally to prove that the Resolution which he had placed upon the Paper was right and proper—namely, that a doubt ought not to be settled by a Resolution of this House, but ought, according to that precedent, to be settled in a Constitutional way by Act of Parliament. But if there was more than a doubt, as he ventured to contend, the weight of the argument was all the stronger; for if an alteration of the law was proposed, that was overwhelming in favour of proceeding by Act, and not by Resolution. Therefore, in either case, whatever way they accepted the Statute, the proper way was according to his Amendment, as against the proposal of the right hon. Gentleman. They all knew that it had been laid down by the best authorities that extreme cases made bad law; and as he believed this would be an extreme case, to proceed in this high-handed manner by Resolution, he ventured to think it would make very bad law. The right hon. Gentleman had stated, at the outset, that he only wished to refer to the case of the Attorney General of Victoria, and to nothing else. He (Sir Julian Goldsmid) did not wish to depart from the right hon. Gentleman's ruling; but he wished to make one or two observations only on one other subject. It was said the case of the Agents General for the Colonies did not apply in this matter, and he quite concurred. Agents General, so far as he had ascertained, were appointed under different circumstances; they were appointed by a Resolution of the Colonial Council, and without any relation either to the Colonial Parliament, or to the Government at home. He could not conceive for a moment that the acceptance of those Offices could in any way affect the position of Members of this House. Therefore, although some hon. Gentlemen had said that when the right hon. Gentleman the Member for Pontefract (Mr. Childers) accepted—as he did, much to the advantage of the Colony, some years ago—the position of Agent General for the Australian Colonies, that he incurred considerable risk, he (Sir Julian Goldsmid), for his part, could not see that he incurred any risk at all. It gave the Colony the benefit of his considerable knowledge, his great experience both of that Colony and the Mother Country, and his high position in this House. Surely the benefit could only be on the side of the Colonists, which he was sure they had thoroughly and warmly appreciated. The same remark applied to the position which was formerly occupied by his hon. Friend the Member for Dundee (Mr. E. Jenkins) as Agent for the Colony of Canada. The general considerations pointed out with regard to those two Offices should induce everyone to agree with him with regard to this question. If there was any argument which could be used on the other side, it would be simply because any salary that would have to be paid would have to be voted by the Colonial Legislature, or paid out of the so-called Civil List; and as that Civil List, according to the argument of the right hon. Gentleman, was under the control, either of the Treasury or of the Government at home, therefore, in that reflected way, the Agent General might be supposed to come under the control of the Home Government. He could not see much in that argument; but he was told that it was the only one which it had been ventured to use. But to return to the question of the Attorney General of Victoria. As far as his purpose was now concerned, he thought that in his statement he had proved two things—one, that the conclusion at which the official Members of the Committee and the right hon. Gentleman had arrived was not so clear as they themselves thought; that if other Members of the Committee were to state their reasons to the House they would be very different; that at least there was a very considerable amount of argument upon the matter; and that there was very considerable doubt whether this Office really did come within the spirit and meaning of the Statute of Anne, and the Irish Acts which followed it. If he had proved that, he had proved the first part of the case; and as to the second, he had shown by the Irish Acts that if there was a doubt, by that precedent it ought to be settled by Act of Parliament, and not by Resolution. Consequently, he thought he had proved the two points with which he had started. He thanked the House for the attentive consideration which they had given to his observations, which he had endeavoured to make as clear and as short as possible, and he begged to conclude by moving the Amendment which stood in his name upon the Paper.

Mr. OSBORNE MORGAN said, in the absence, which was to be much regretted, of his noble Friend the Member for Bury St. Edmunds (Lord Francis Hervey) he had been asked by his hon. Friend the Member for Rochester (Sir Julian Goldsmid) to second the Amendment, and he did so with great pleasure, although in the hands of the noble Lord it would have gone with more weight than he could give it. He should like to say, at the outset, that he could not help thinking, with regard to the question of residence, that it was exceedingly inconvenient that any Gentleman whose duty compelled him to be at the Antipodes should be qualified to sit in that House. He believed that consideration would indirectly weigh with the House in considering the Report of the Committee. But that was not the question with which the House had to deal. The question was not one of convenience, or of the compatibility of two offices. It was a grave Constitutional question as to the construction of a Statute—a disabling Statute, a highly penal Statute—involving the status of a Member of that House. They were told that the Committee, following, no doubt, the good advice of Dr. Johnson—"Never give your reasons, if you can help it"—gave its recommendation without its reasons—a very convenient advice at all times—particularly when, as was the case here, that recommendation was supported by every Member of the Committee from a different reason. However, there was one Member of the Select Committee who was more courageous, or less discreet, than his Colleagues—the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Gibson). He drew up an exceedingly able and learned Memorandum, which was printed at the end of the Report. If he (Mr. Osborne Morgan) wanted a justification for the opinion to which he had come, and which he was then expressing to the House, he certainly could find it in that Memorandum. As his hon. Friend the Member for Rochester had pointed out, there was this great point in favour of the Amendment—that the present case was clearly not within the mischief contemplated by the Statute of Anne. At that time, as was said by Sir Robert Walpole, every man had—or at least was supposed to have—his price. The object of the Statute, then, was to prevent that which was a very present danger in those times—that the Court or the Prime Minister might pack the House of Commons with a mob of needy, greedy, place-hunters, or place-holders, by which means they or he would be independent of the country, and might at any moment swamp the independence of the House of Commons. In his opinion, it was as clear as anything could be, that that was the object of the Statute of Anne, and that was the mischief which it and the Statute of George III. was intended to prevent. Could they, by any stretch of imagination, suppose that the Statute was intended to apply to such a case as that under discussion? In the first place, by whom was the Attorney General for the Colony of Victoria selected? In much the same way as his learned Friends the Attorneys General for England and Ireland—by the Premier of the Colony. It was true that he was in name appointed, as all other Ministers were appointed, by the Governor; and it was upon that fact alone that the argument in favour of the Motion was based. It was said that the Crown appointed the Governor, and the Governor appointed the Prime Minister, and the Prime Minister appointed the Attorney General; therefore, the Crown appointed the Attorney General, and therefore his Office was an Office under the Crown. Was not that exactly the same argument as the old school-boy syllogism with which they were all acquainted—

> "Athens governs the world, Pericles governs Athens, Pericles' wife governs Pericles, Pericles' little boy governs Pericles' wife, and, therefore, Pericles' little boy governs the world?"

That was exactly the argument which the Home Secretary had presented to the House, and it was the only way by which the conclusions of the Committee could be justified. Could they conceive any way in which the Crown at home—meaning by the Crown not the personality of the Sovereign, but the whole Government, as represented by the Prime Minister and the Cabinet—could exercise the slightest influence upon the appointment or dismissal of the Attorney General for Victoria? That question was put by the right hon. and learned Gentleman the Attorney General for Ireland to the Premier of the Colony, and the very idea was scouted and laughed at by the gentleman, who treated it as hardly serious. The only way in which it could be done would be by the Home Government putting pressure on the Governor of the Colony—because the Home Government had no power whatever over the Attorney General, or indeed over any Member of the Government to which he belonged—to induce him to dismiss his Ministers, and, in the event of the Governor's refusal, dismissing him from his post. What would happen if that were done he need not try to guess; but he should be very sorry to stand in the shoes of the Governor who succeeded him. There would certainly be a storm of indignation in the Colony against which no Governor could stand. They had very lately had some experience of the jealousy—and, as he thought, the justifiable, or certainly the excusable jealousy—with which the Colonies looked upon any interference by the Home Government in their domestic policy. He referred to the recent case of Canada, and the action taken by the Colonists in the case of M. Lepelletier St. Just. He maintained, with his hon. Friend the Member for Rochester, that the Home Government, or the Prime Minister of England, had really as little voice in the appointment of the Attorney General of Victoria, and as little control over his dismissal, as Mr. Graham Berry had over the appointment or dismissal of his hon. and learned Friend the Attorney General for England. The Home Secretary, in his opening speech, had relied very strongly on the fact that the Attorney General for Victoria was paid out of a sum of £15,000, which was called the Civil List. He neither understood the statement nor the argument. Did the Home Secretary mean the Civil List in the same sense as the words were used of the Civil List of the Crown of England? The test of it would be, whether the Treasury could divert that which was part of the revenues of the Colony, and part of an aggregate sum, every penny of which was applicable, under the laws of Victoria, to the purposes of the Colony, to home purposes? Would anyone suggest for a moment that any part of that £15,000 could be so applied? The conclusion was a most ludicrous one; yet he thought it arose very fairly out of the proposition put by the Home Secretary. Could the Home Government, for instance, apply any part of that £15,000 in increasing the salary of the Attorney General? Could they, in fact, either increase or diminish, or in any way alter, the sum of £2,000 appropriated to the Attorney General? Of course, they could not; and from that it followed that the Home Government, in no sense of the word, held the strings of the purse by which the Attorney General was paid. This was an exceedingly important question; but he would not detain the House further than by merely referring to the Report of the Select Committee, and the case of Mr. Huskisson, which was a far stronger case than the one now before the House, because Mr. Huskisson was actually appointed to some office in Ceylon by the appointment of the Home Government. Yet, because he was paid out of the revenues of Ceylon, and not from those of England, a Committee of the House of Commons, in 1829, came to the conclusion that his place was not a place of profit under the Crown. He thought the Irish Statute, to which reference had been made, was a very strong argument in his favour. It was perfectly clear, whatever might be said on the subject, that the Lord Lieutenant of Ireland stood in a very different position as regarded the Crown to that occupied by the Governor of a Representative Colony. It was impossible to have a higher authority than the Constitutional Governor of an autonomous Colony. He was, in fact, a local Constitutional Sovereign, responsible in one sense, no doubt, to the Government at home, but responsible directly to his own Parliament. Was that at all the position of the Lord Lieutenant of Ireland? He was the mere shadow of the Queen, and representing her integral Dominions. But what was the view which Parliament took of appointments made by the Lord Lieutenant? The early Irish Act — 31 *Geo.* III.— made vacant the seats of all persons who accepted an office of profit under the Crown. The question arose, whether a person appointed by the Lord Lieutenant to a place of profit came within that disqualification? and he was told, as a matter of history, for he had forgotten the name of the case, that a person so appointed did not vacate his seat. For the purpose of avoiding that difficulty the 38 *Geo.* III. was passed, which, if they wanted precedents, seemed to him to be conclusive. He was much obliged to his right hon. and learned Friend opposite the Attorney General for Ireland (Mr. Gibson), or he would not have known of the matter.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, if his hon. and learned Friend would refer to the Statute he would find that he was mistaking its wording or operation.

MR. OSBORNE MORGAN replied, that whether or no the question was decided under that Statute, it certainly was raised. At any rate, nobody would deny that the fact that the second Statute was passed showed that the doubt had arisen whether a person taking a place of profit under the Lord Lieutenant was within the operation of that Act. He did not know whether that was denied. [The ATTORNEY GENERAL for IRELAND dissented.] Well, whether that was so or not, the Act was passed, and the 38 *Geo.* III. recited the old Act, saying this—

> "And whereas to obtain the object of the said Act, it is necessary that the seat of Members shall be vacated by accepting offices from the Chief Governor or Chief Governors of the Kingdom as if the same were accepted immediately and directly from the Crown."

And then it extended the provisions of the earlier Act—

> "To any persons who shall accept any office of profit from or by the nomination or appointment or by any other appointment subject to the approbation of the Lord Lieutenant, Lord Deputy, Lord Justice, or Lord Justices, or other Chief Governor or Chief Governors of the Kingdom."

What could be the necessity for that Act, if the law were as laid down by the Home Secretary? He, therefore, thought he had shown conclusively, that the case of a Governor of a Colony was a far stronger case in his favour than the case of the Lord Lieutenant. They had this Statute forbidding the taking of any office under or for the Crown. Those were the very words of the Statute—yet there was fresh legislation. Why was it wanted? Could they need anything stronger to support the position he now held? If this were a mere question of convenience, he would at once admit that it was, in the highest degree, inconvenient to have a Gentleman entitled to take a seat in that House, who was bound by his duties to be 10,000 miles away. But he would say —"Do not strain this Statute; do not use it as a leaping-pole to jump out of your difficulty." He would go further than his hon. Friend the Member for Rochester, and say at once that he did not see why they should not bring in a general Bill stating who were and who were not qualified to have seats in that House, and what was to be considered a place of profit under the Crown. There never was a case about which he had felt more doubt and difficulty; and he felt it would be an excellent thing if they could have an Act defining who were and who were not subject to these disqualifications.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "considering it is undesirable to decide by Resolution a doubtful question of grave importance involving the status of Members of this House, it is expedient that a Bill should be brought in to settle the Law relating to the disqualifications caused by accepting Colonial offices,"—(*Sir Julian Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir HENRY JAMES observed, that the objection taken to the Report by his hon. Friend the Member for Rochester (Sir Julian Goldsmid), although not expressed in the form of the Motion, had been supported by others, and it was said that it was objectionable in form, because it did not state reasons, while it was objectionable also in substance. In reference to the first objection, he (Sir Henry James) conceived that his hon. Friend had scarcely looked at the precedents in the matter, for it would have been contrary to all the precedents if the reasons had been stated. He would remind him and the House that Reports of Election Committees, which were the most nearly analogous instances of which he was aware, never stated any reason for their decision, but simply recorded the validity or invalidity of the Return, as the case might be. Then they came to the Report. The only similar case to that was one which occurred in 1868, when a Committee was appointed to consider whether his hon. Friend the present Member for Maidstone (Sir Sydney Waterlow) could hold his seat for Dumbartonshire at the time that he had a contract with the Government; and the Report was similar to that now before the House, for the Committee reported that Sir Sydney Waterlow was disqualified under the Statute of George, from sitting and voting in that House. They gave no reasons whatever for this opinion; but simply said such was the fact. But a far more important matter was the substance of this Report; and, of course, the House now had to deal with one question only. He thought the House would not deem it necessary to go into the policy of the original Act, or the policy of its application to the new state of things existing in consequence of this young Colonial life. If this Act existed on the Statute Book, controlling more Colonial institutions as well as more Imperial institutions, they must, of course, carry it into effect; and they could not enter at all into the policy of its application, unless, indeed, the House wished to hold its hand until the Statute was repealed. He also saw a great distinction between this case of the Attorney General for Victoria and many others that had been referred to. The House ought not, he thought, in expressing its views in relation to this office, to be supposed to be expressing them as to any other cases than those referred to. He saw a very great distinction, indeed, existing; and, in his opinion, that distinction was a substantial one, and would be carried into practical effect. Therefore, they had to deal with a very simple point indeed. His hon. Friends had not been quite correct, though it was not material. They said that this case arose under the Statute of Anne. It did not arise out of the Statute of Anne at all, but under the Irish Act, passed by the Irish Parliament in the 33rd year of George III.; and after the Union it became necessary to apply the same disqualification to those persons who should become Members of the Imperial Parliament of the United Kingdom. Then, by the 2nd section of 41 *Geo.* III., all disqualifications that had existed in relation to the Irish Parliament ought to apply to Members returned for Irish constituencies. Inasmuch, then, as Sir Bryan O'Loghlen was returned by an Irish constituency, all they had to consider was the effect of the disqualification of 33 *Geo.* III., in its application to the Imperial Parliament by 41 *Geo.* III. Substantially, however, his hon. Friends were right, because the words were clear, and the only difference in the Irish Act was that the word used was varied by saying "any office afterwards created." The Home Secretary, it appeared to him, had stated this question very distinctly. They had simply to determine whether the House would agree with the Committee that the office that was held by Sir Bryan O'Loghlen was a new office, to use the word of the statute, held under the Crown? It might be taken for granted that the office of Attorney General was a new office, and that it was an office of profit, and the only question for the House really to determine was then whether it was an office held under the Crown? They had, in fact, simply to consider the Act, and apply it to the state of things now existing. It was said that such an office could not be contemplated by the Legislature at the time the Statute was passed. He did not suppose, of course, that Irish Members and the Irish Parliament contemplated that there should be an Attorney General of Victoria at the time; but they did contemplate that new offices would come into existence. Although, then, this particular office could not possibly have been in the minds of the Legislature, the fact that new offices of all kinds and descriptions would come into existence was contemplated, and that this Act should apply. They could only construe the intention of the Legislature by the words of the Act, and the words were clear. They applied to "new offices under the Crown," constituting a disqualification without proper re-election. Then, the simple question they had to decide was one of fact—was this an office held under the Crown? How, then, was this officer appointed? His hon. and learned Friend the Member for Denbighshire (Mr. Osborne Morgan) had said that the Attorney General was appointed by the Prime Minister of Victoria. [Mr. OSBORNE MORGAN begged pardon—the Governor.] His hon. and learned Friend said the Prime Minister, although he might have made a slip. The appointment, practically, was by the Governor, and the House would see that he was acting in that instance for the Crown, in the name of the Crown, and as representing the Crown. The Governor held his office by virtue of a Patent, under the Sign Manual, which conferred certain powers upon him. By virtue of those powers he acted in this appointment. Now, what were those powers? In the first place, he quite agreed that there was very little interference between the Home Government and the Governor of the Colony. His appointment was granted to him by Patent, and it contained his instructions. Under Clause 5, he was authorized to appoint—

> "In our name and on our behalf such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of our said Colony as may be lawfully constituted and appointed by us."

By section 7, the same power was given to the Governor to suspend or remove from office any such officers. So far, the appointments were made by virtue of this delegation of authority directed to him. What, then, was there in the Constitution of the Colony that prevented this office from being an appointment under the Crown? Nothing. The Constitutional Acts of Victoria entirely confirmed the view that this was an appointment under or from the Crown. No doubt, when that Act came over for approval from this Parliament, the intention was to give *quasi*-Parliamentary institutions to the Colony of Victoria. Certain power was vested, partly in the Legislature, partly in the Assembly, and partly in the Governor, with the advice of his Executive Council. But the Crown did reserve certain particular rights to itself—that was to say, it preserved certain rights to the Governor apart from his other functions. The 37th section of the Victoria Government Constitution Act said—

> "The appointment to public offices under the Government of Victoria, hereafter to become vacant or to be created, whether such offices be salaried or not, shall be vested in the Governor with the advice of the Executive Council, with the exception of the appointments of the officers liable to retire from office on political grounds, which appointments shall be vested in the Governor alone."

Thus these appointments were vested in the Governor alone—that was to say, in the Crown alone—without any power to the Executive Council even to interfere even to the extent of giving advice. The 48th section of the Act also seemed to him to be very important. It said—

> "It shall be lawful for the Governor to abolish any of the offices named in the third and fourth parts of the said Schedule, or to apply the sums thereby appropriated to such other purposes connected with the administration of the Government of Victoria, as to Her Majesty, Her Heirs and Successors, shall seem fit."

Yet, in face of these enactments, it was maintained that because Constitutional powers had been given to the Colony, that the Crown had not retained either the power to appoint or dismiss persons, or to abolish the office. But the most cogent argument of all was that a sort of Consolidated Fund was voted to the Crown, and out of it were paid the salaries of these very officers. The money, in fact, first went into the hands of the Crown, and then through it was paid to these officers. With regard to the arguments used, if he understood aright, his hon. Friend the Member for Rochester (Sir Julian Goldsmid) did not dispute that this was an appointment under the Crown in Victoria. He (Sir Henry James) really could not understand this distinction. If it was not the Crown there, it was not the Crown everywhere. The Crown was not divisible, and a distinction could not be drawn between an appointment in Victoria, and an appointment in any other part of the Kingdom. It was either under the Crown or it was not; and if it was under the Crown it was under it for all purposes whatever. His hon. Friend must forgive him for saying that the fact that Sir Bryan O'Loghlen had been compelled to resign his seat on accepting office in Victoria was an argument in his favour. He could not for one moment follow the argument. Why did he vacate his seat? Simply because, in the words of the Act, he had accepted an office of profit under the Crown; and, whether he accepted it in Victoria or elsewhere, it was equally an office under the Crown. If it was not, as his hon. and learned Friend (Mr. Osborne Morgan) contended, then there was no office of profit within the Colony. He wished to speak with the greatest possible respect of the opinion conveyed to the Committee by the learned authority who had been mentioned (Sir Erskine May); but, in his opinion, the learned gentleman had clearly established that the Committee was right, for his answers to questions made the matter quite clear. He was first asked by a Member of the Committee—"Is it accurate to say that an office of the Crown, within the meaning of the Act of *Geo.* III. to which we have referred, may be an office held outside the United Kingdom?" The answer to that Question was—"Clearly." He was then asked—"Would you say that the office of Attorney General of Victoria would be such an office?" The answer in that case was—"Certainly." Surely it was the most simple proposition that could be submitted to the House, that these answers proved his contention. He would not enter into the question whether there was any distinction to be drawn between the words "from the Crown" and "under the Crown." He inclined to the opinion that there was no distinction, that the point they were discussing now was a different one. It was, he thought, merely a distinction between an appointment made directly and one made indirectly; because, at the distance at which our Colonies were situated, the Crown could not make appointments directly, and was bound to delegate its authority. But the person who exercised this delegated authority completely represented the Crown, as much as any one of its Constitutional Representatives in this Kingdom. It had been argued that it was impossible to suppose that the Home Government could, or would, interfere with the Governor of Victoria. It was very probable that the Home Government would be slow to interfere with him; but they were asked what would happen if it did? He should think that very likely a crisis would happen, just as there would be a crisis in this country, if the Crown were to dismiss responsible Ministers when they were supported by a great Parliamentary majority. The Crown, in so acting, would not be beyond its rights, and had the power to do it. Whether it was ever likely to occur or not, it was true in the same way that a crisis might arise from the Home Government dealing in the manner suggested with the Colonial Government. He did not for a moment think that the Colonial Government was free from the control of the Crown; and he believed that the persons who would most object to such a view would be the Colonists themselves. To tell them that there was one rule in England and another in Victoria, and that the Queen of England was not the Queen of Victoria in identically the same sense, would scarcely be a pleasant doctrine to the Colonists. Yet, unless the House accepted that doctrine, the Report could not be dealt with as other than correct.

Sir GEORGE BOWYER said, that after hearing the arguments on both sides, and having previously considered the question as presented to the Committee, he had come to the conclusion that the decision arrived at was perfectly correct. The only fault he had to find with the Committee was, that they had gone into a great deal of evidence more or less immaterial, and had overlaid their Report with matter only calculated to create doubts and occasion discussion. It was clear that an officer appointed by a Governor of the Colony of Victoria, who received his commission from the Crown, was just as much under the power of the Crown as if he had been appointed here. Therefore, he maintained that the Office of Attorney General for the Colony of Victoria was clearly within the purview of the two Statutes—the object of which was to prevent there being an undue number of official persons in the House of Commons removable at the pleasure of the Crown. The Office of Attorney General of Victoria was clearly a new Office. Again, nobody could deny that it was a place of profit. But was it a place of profit under the Crown? There could be no doubt that it was. The Crown appointed the Governors of Colonies, but they exercised no right of their own. They represented the Crown, and exercised the Prerogative of the Crown. If the Governor of a Colony appointed any officer, he did so by the Prerogative of the Crown delegated to him. No lawyer could deny that the Crown could revoke the appointment of a Prime Minister, or any other Minister, in a Colony appointed by the Governor, and that it would be a perfectly legal exercise of its Prerogative. It, therefore, followed that the Attorney General of Victoria was appointed under the authority delegated to the Governor by the Crown. Everyone knew that the Crown was not only the fountain of honour, but of office. The Governor of a Colony was in the position of Viceroy; and when he, under the power given to him, appointed any person to an office, it was clearly an appointment under the Crown. There was no question whatever that although the Attorney General was appointed by the Governor of the Colony, and appointed during pleasure, that the Crown could at any moment revoke his appointment and remove him from office. From all this, it was perfectly clear to him (Sir George Bowyer) that the office of Attorney General of Victoria was an office under the Crown. With regard to the question, as to whether the 41 *Geo.* III. was passed to supply an omission in the previous Act?—the Statute was merely declaratory, and intended to remedy a defect in the previous Act, and was rendered necessary in consequence of the Act of Union. He should most certainly support the decision of the Committee.

Mr. DODSON hoped that the House would not too hastily allow itself to be carried away by the apparently unanimous decision which had been arrived at by the Committee on this subject. After having given his best attention to the matter, he was obliged to say that it was one upon which very grave doubt existed. The Report in one respect was a very remarkable one; for the Committee which reported so unanimously had, as far as he could understand, done so in the teeth of the evidence which had been presented to it. It reported against the evidence of Sir Erskine May. According to the evidence of Mr. Berry, the Prime Minister of the Colony, to all intents and purposes the appointment, though styled in the Colonial Act an appointment "under the Crown," was one corresponding with the appointments "from the Crown," the acceptance of which required re-election to Parliament. It was not therefore, according to that, one of those new offices under the Statute of Anne which were held to disqualify persons who accepted them. Then, again, the Report of the Committee was inconsistent with the summary of the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Gibson). The right hon. and learned Gentleman had drawn up an excellent historical document, which was appended to the Report; but, in that document, did he come to the conclusion adopted by the Committee? Nothing of the sort. He (Mr. Dodson) could well understand that when he came to 41 *Geo.* III., c. 52, and quoted the section which said that

> "After the dissolution of the present Parliament persons appointed by the Lord Lieutenant to new offices should be disqualified,"

he stopped, and shrank from drawing the conclusion that the law and practice as to appointments by the Lord Lieutenant in Ireland before the Union was no argument against declaring an appointment by the Governor of a Colony having its own Parliament like Victoria to be a disqualifying Office under the Crown, because the clause was not declaratory of what had been, but enactive of what should be. This was confirmed by *Hatsell*, who, writing at the period, says of the Act 41 *Geo.* III.—

> "Besides which persons holding new places under the Lord Lieutenant are in future to be disabled."

It appeared, then, plain that appointments by the Lord Lieutenant, or, to say the least, some of these appointments, did not disqualify within the Statute of Anne, or the corresponding Irish Statutes; and these appointments presented the nearest analogy to those by the Governor of a Parliamentary Colony. He would further affirm that such must have been the opinion of the right hon. and learned Gentleman at the time he prepared his summary, and it was certainly a fair interpretation to be placed upon that summary. The right hon. and learned Gentleman endeavoured, in the last paragraph of the summary, to explain away the obvious effect and conclusion to be drawn from the Statute of 41 *Geo.* III., for he there said that—

> "It is possible that this section may have been inserted by way of additional precaution, and not because there was any reasonable doubt as to the interpretation of the words 'place of profit under the Crown,' "

and so forth. Before passing from the action of the Committee, he wished to call the attention of the House to the fact that although it was composed of 13 Gentlemen, appointed to consider a very grave and doubtful question, involving not only the personal interest of an hon. Gentleman, but a large Constitutional principle affecting the House of Commons, remarkably few of the Members of that Committee appeared to have attended it regularly. The only Members whose attendance was regular were the right hon. Gentleman the Home Secretary, as Chairman, the right hon. Member for Cambridge University (Mr. Spencer Walpole), the right hon. and learned Gentleman the Attorney General for Ireland, and, he believed, the right hon. Gentleman the Chief Secretary for Ireland. Again, on the day the Report was settled the attendance was also very thin, seven Members only being present, four of whom were Members of the Government, and three were Gentlemen who had never once sat on the Committee. Amongst the latter was the hon. and learned Member for Oxford (Sir William Harcourt), who would, no doubt, get up presently, and, untramelled and unprejudiced by having heard the evidence, would say that the conclusion was so plain that no man of common sense could dispute it. Another Member who joined in that unanimous conclusion was the hon. and learned Attorney General for England, who was untramelled and unprejudiced, because he also had not heard the evidence. It would appear that the Committee had been carried away by two expressions—one, the word "under," and the other, "Civil List." The expression "Office under the Crown" in the Statute of Anne, in the Irish Statute of George III., and in the 41 *Geo.* III. of the Union Parliament, had never, he ventured to say, been taken in that broad, general, and universal sense which the Report of the Committee attached to it. By the interpretation put upon the words "Office of profit under the Crown" that evening, one might say that a man driving a Hansom's cab was holding an Office under the Crown, because he held a licence, and was earning a living under the Crown. With regard to the distinction between holding an Office "under" the Crown and accepting an Office "from" the Crown, learned authorities had contended that the only Offices spoken of in the Statutes were Offices held immediately "under" the Crown, which was the same thing as accepting them "from" the Crown, and that the only distinction taken was between old Offices and new. In support of this view it was gravely contended that the section of the Act of Anne which contained the words enacting that persons accepting office from the Crown should vacate their seats, but be re-eligible, contained the general rule; and that the previous section, providing that persons holding new Offices under the Crown should vacate and not be re-eligible, was, as it were, a limitation of the other section. According to this view, the intention of both sections was to deal with Offices immediately under the Crown; and it was only by accident that the word "from" was used in one section and the word "under" in the other, because the verb "to accept" had been employed in the one and "to hold" in the other. He (Mr. Dodson) admitted, however, that the term "under the Crown" had always been interpreted in a wider sense, and applied to a greater number of Offices than those held directly under or accepted from the Crown. But he contended that the term "Offices held under the Crown" had never been interpreted in the universal sense applied to it that evening. What was the object with which the Statutes were passed? It was to prevent the influence of Ministers of the Crown being used in the House of Commons, and was intended to exclude placemen from seats in the House. The Offices under the Crown to which the Statutes applied had always been held to be substantial Offices under the influence of the Crown, and, therefore, within the mischief of the Statutes. He would not detain the House by quoting from *Hatsell* and elsewhere the various cases bearing upon the point; but any hon. Gentleman who took the trouble to go through them would find that they were full of anomalies, and that cases had been decided in different ways, where it was extremely difficult to distinguish between one and the other. Two striking cases were those of Mr. Hales and Mr. Corbet, who did not hold the Offices to which they were appointed directly from the Crown, but from persons who held immediately under the Crown; and yet in both those cases, though they had salaries from the Crown, it was held that they were not disqualified, nor did they vacate their seats. Against these there was the case of Daniel Whittle Harvey, in which, after an inquiry by a Committee, it was held that he had accepted an office of profit under the Crown, and in consequence of this he was obliged to vacate his seat, and was disqualified. Now, these were cases which it was exceedingly difficult to distinguish. He would only say that they showed that the words "holding an office of profit under the Crown" had never been interpreted in a general and literal sense. They had always been construed with a discriminating reference to the nature and tenure of the office in question, and to the consideration of how far it came within the intent of the Act. That Act, it was observed in a note in *Hatsell*, was a Statute of Incapacity, and therefore to be strictly limited in its application. He wanted to ask the House seriously to ponder whether they ought, by an off-hand Resolution, to exclude Colonial officers from the House of Commons, and by so doing to deprive the House, as they might incidentally do, of the advantage of having persons connected with the Colonies sitting in the Imperial Parliament, in addition to limiting the choice of the constituencies? It was all very well to say that the Resolution before the House only applied to an individual office, or to one particular man; but, if the Resolution was passed, it would make a precedent that would apply to future cases, and to an extent which could not possibly be foreseen. He would grant, for the sake of argument, that this Office, notwithstanding all the incidents attaching to it, was not, in the proper sense of the words of the Acts of Parliament upon the subject, an Office accepted from the Crown; he would, in the same way, grant that the office was a new one, although even that might be plausibly questioned, because there were Colonial Attorneys General before the Act of Anne was passed; he would grant that, notwithstanding the appointment was made in a Constitutional Colony, it was, in a certain general sense, an office of profit under the Crown; still, the question came, was it such an office under the Crown as would justify the House in passing the Resolution which had been proposed? Was the office within the mischief of the Statute of Anne, or included in the matters with which that Act was framed to deal? Let the House consider the question for a moment. If the Attorney General for Victoria were to take upon himself to sit in the House of Commons, he must first vacate his office; he would do so by non-residence, and then *cadit quæstio;* but if he was to sit in the Imperial Parliament, being still Attorney General for Victoria, the inevitable assumption was that the Colony was prepared to pay him for his services, and then to forfeit those services, and give to the Attorney General leave to absent himself from the Colony in order that he might spend six months of each year in Westminster. This was, however, such a concatenation of improbabilities, that it need not be taken into account. But supposing the Attorney General for Victoria were to come to Westminster, and to sit and vote in Parliament, the question arose whether he would be a place-man in the House of Commons in the sense of the Statute of Anne, which was passed in order to prevent Gentlemen sitting in that House who were under the influence of the Crown or of the Ministers of the day. How could a Gentleman appointed to an office by the Government of Victoria, who was in no way dependent upon the Colonial Secretary here, be a place-man in this House within the spirit of the Statute of Anne? There was only one other point to which he wished to refer. The Committee, and those hon. Members who had spoken in support of their Report, seemed to be carried away by the words "Civil List;" and to think that because the salary of the Attorney General came out of what was called the Civil List in Victoria, therefore he was receiving a salary at the personal pleasure of the Crown, or depending upon the pleasure of some Minister sitting in the English Parliament. As a matter of fact, however, the term Civil List, as we understood it here, was not applicable to the Fund out of which this payment was made. A payment out of the Civil List in Victoria corresponded with a salary which in this country was charged upon the Consolidated Fund, instead of being annually voted by the House; and the object of giving persons salaries charged upon the Consolidated Fund was not to make them more dependent upon Ministers sitting in the House of Commons, but to make them more independent. The salary of the Attorney General for Victoria was on the same footing, therefore, as the salaries paid to Judges in this country, and his appointment depended upon no one here, but was made by the Governor of the Colony, in obedience to the Constitution and the state of political Parties in the Colony. His salary came out of a certain Fund provided for the payment of particular officers, and the proportion of that Fund which he received was regulated by the Colonial Ministers; while the total amount of the fund could at any time be altered by the vote of a majority of two-thirds of the Colonial Legislature. Of course, it might be argued that the Governor of Victoria having been appointed to his Office by a Minister in this country, the Minister in question might say—"If you do not, regardless of what may be the circumstances of Parliamentary Government in the Colony, appoint Mr. So-and-So to the post of Attorney General, I will make your place so unpleasant that you will be obliged to give it up;" but that would be extending the influence of Ministers to such a strange, remote, and inconceivable extent, that it was not worth taking into consideration. He would simply say that, although this was an Office under the Crown, it was not such an Office in the Parliamentary and statutory sense of the words; and that, so far as the payment of this officer was concerned, it did not make him a place-man in Parliament under the influence of the Crown or of the Ministry of the day. He, therefore, held that the Statutes did not, in their spirit, apply to this Office; and that, as the question was one, at all events, of doubt, and important alike to the Colonies, to constituencies in the United Kingdom, and to Parliament itself—regarding the matter in a broad Constitutional point of view—it ought not to be decided on an off-hand Resolution; but that the House should pause and, proceeding on the lines of the Amendment which had been moved by the hon. Member for Rochester (Sir Julian Goldsmid), deal not with a single case, but, consistently, with the whole matter, by an Act of Parliament.

Sir WILLIAM HARCOURT: I can assure the right hon. Gentleman the Member for Chester (Mr. Dodson) that I do not rise to reciprocate the compliment which he has been good enough to pay to me. I do not think language of that kind is ever advantageous in this House, especially when it is addressed by one Gentleman to another who sits on the same Bench; but I do feel bound to defend the Committee and all its Members from the extremely violent, unjustifiable, and unprecedented attack which has been made upon them. All I can say is that the good taste and reflection which the hon. Member for Rochester (Sir Julian Goldsmid) has exercised during the Vacation in altering the terms of his Amendment have not had any effect on the mind of the right hon. Gentleman the Member for Chester. What is the history of this Committee? The right hon. Gentleman has attacked those who were present at the sittings of the Committee; and, in justice to him, I must admit that he has chosen for his most severe attack those who were present. I have, however, a word to say for those Members of the Committee who were absent. One Member of the Committee, who has been spoken of as having condemned the Resolution in the Committee, was never there at all; and it is, therefore, not easy to understand the most singular course which has been taken by the right hon. Gentleman the Member for Chester. The Committee, I may say, took the greatest possible pains to investigate this matter. They considered it for many days; and I am told that I am disqualified from offering any observation upon the matter because I was not present when the evidence was given. The right hon. Gentleman the Member for Chester evidently does not feel that he is under any disqualification; though, as far as we are concerned, the circumstances are precisely similar. He has come to a conclusion after having read the evidence, and so have I. The Members of the Committee gave all the attention they could to the subject. They held many conferences after hearing the evidence, some of them lasting until very late at night; and eventually seven Gentlemen, all lawyers, came to as good a conclusion as they could upon the evidence given before them. If, after doing this, those Gentlemen are to be attacked, as they have been by the right hon. Gentleman the Member for Chester, it will not be easy to induce hon. Members of this House to serve on such Committees. If an ex-Chairman of Ways and Means, who thinks he has a traditional sort of right to castigate Committees of this House, uses this violent, uncalled-for, and, I was going to say, offensive language towards Committees, hon. Gentlemen, when inquired after by the "Whips" to serve, will say—"No, thank you, for there is the right hon. Gentleman the Member for Chester ready to come forward and hold us up to scorn, contempt, and ignominy." But I pass that by, because it is a proceeding I never heard of before in the House of Commons, and I hope we shall never hear its like again; and I now come to the point of the case. I listened with some amusement to the attack on the Committee, and tried to gather from the right hon. Gentleman the Member for Chester whether he had any argument, and through the mist of his speech I was unable to detect anything like a reason, except that he said the appointment of the Attorney General for Victoria came within the mischief of the Statute of Anne. With that, however, we had nothing to do. Our duty simply was to consider the words of a Statute, and where a Statute is perfectly clear you have nothing to do with the mischief of it. The right hon. Gentleman admits that the office of Attorney General in Victoria is a place of profit under the Crown; but says that it is not such a place of profit as is contemplated by the Statute of Anne. We considered that; but as the Statute contains the words, "any place of profit whatsoever," it left no room for discussion as to whether this was or was not a place of profit which came within the mischief of the Act. The right hon. Gentleman says the decision of the Committee was an off-hand decision; but I would remind him that the Committee—which, as I have said, consisted of seven lawyers—took great pains to inquire into the case from every point of view. We observed, among other things, that the case of a Crown Colony was one which could not have been contemplated by the Statute of Anne, because no such Colony existed at the time. The Statute clearly covered every case in which a person held an office of profit under the Crown, no matter where such office was held, and left no room for for discussion as to whether any particular office under the Crown was or was not within the meaning of the Statute. That disposes of the evidence of a Gentleman whose opinion we look to with the highest respect in this House—I mean Sir Erskine May—but whose evidence was entirely directed to the point as to what might have been the view of the authors of the Statute of Anne in other circumstances. That, the Committee considered, did not come within their purview. We had only to look at whether this office came within the words of the Statute; and as the office is admittedly one of profit, there seemed to us no room for contention in any contrary sense. It has been said that the Committee have given no reasons for the Report they make, because they differed among themselves as to the grounds upon which they arrived at the same conclusion. This is an entirely unfounded statement. Whether any Members of the Committe had or had not secret reasons in their own breasts I know not. The ground upon which no reasons were given for our Report, and the nature of it, is the one which has been stated by the right hon. Gentleman opposite (Mr. Assheton Cross). It has also been said that the Report was contrary to the Memorandum of my right hon. and learned Friend opposite (Mr. Gibson); but I should imagine that no one was more surprised than he was to hear that statement. All we did was to draw up all the points in the evidence which bore upon the consideration of the question, and they were put into the Report in order that the House might have information as to what had taken place. There is only one phrase in the speech of my hon. Friend the Member for Rochester to which I would wish to take exception. He described the Crown as the nominal Sovereign of our Colonies; and I cannot help thinking that it would be unfortunate for such a phrase to go forth as representing the opinion of the House of Commons. The Crown is as really, and not nominally, Sovereign in the Colonies, as in any part of the Dominions of the Queen; and, therefore, I feel sure that the phrase is one which my hon. Friend never intended to use.

Sir JULIAN GOLDSMID said, he did not remember using the phrase in question; but if he did, it was solely in reference to the appointment of Ministers under the Colonial Government.

Sir WILLIAM HARCOURT: I am quite clear that my hon. Friend used the phrase; but I was as sure then, as I am now, that he did not use it in the sense which the bare words might imply. But if the Crown is in every sense the same Crown in the Colonies that it is here, that seems to me to settle the question. For instance, with reference to the Colonies, there are many questions which are excluded from the Colonial and still belong to the Imperial Legislature. Last year, or the year before that, questions of extradition and other questions were raised in connection with the Merchant Shipping Bill, which are still dealt with by the Imperial Legislature. The Colonial Legislature deals with all questions relating to the Colonies which are external to Imperial interests. How, then, does this bear upon the Attorney General of Victoria? He is the Representative of the Crown in the Colony in relation to Imperial affairs. Supposing a question of International Law arose in the Admiralty Court, then the Attorney General for the Colony would be the Representative of the Crown in its Imperial capacity, and not at all in its local capacity, as representing Victoria. There are still many questions remaining for settlement in the Colonies which belong to the Crown in its Imperial capacity; and with regard to all these the Attorney General is *ex-officio* Representative of the Crown—in fact, he is Attorney General for the Crown in respect of its Prerogative, which is the same in Victoria as in this country. I do not wish to detain the House longer on this subject, for I have nothing to add to what has been so briefly and clearly stated by the Home Secretary as the unanimous opinion of the Committee. If the question is doubtful, and the Report of the Committee so utterly and entirely wrong, as has been stated by the right hon. Gentleman the Member for Chester, all I can say is that the House made a very foolish selection in appointing the Committee. The House appointed seven Gentlemen, who are utterly incapable of coming to any conclusion other than that at which they arrived upon a point which seemed to me as simple as any point could be. I can only wish that the right hon. Gentleman had been a Member of the Committee, instead of me; and I can assure him that if he had been, I should not have spoken of him in language such as he has applied to some Members of the Committee, but should have treated him with such respect as he deserves, and would deserve, in a responsible position of the kind. The House is always in a position to endorse the Report of a Committee, or to refuse such endorsement. The duty of a Committee is simply to take evidence, and to give to the House the best opinions in its power upon such evidence. That is what was done by this Committee, and I do not think there was any difference of opinion among them.

Mr. COURTNEY said, he felt some difficulty in embarking upon a discussion of what was, at the outset, a Constitutional question, and had become one of a somewhat stormy and personal character. The hon. and learned Gentleman the Member for Oxford (Sir William Harcourt) claimed for himself the undoubted right, which was that of every Member of this House, to examine and comment upon the evidence given before the Committee in his absence; but he had not followed the proceedings of the Committee with perfectly strict accuracy. It was not correct to say of a noble Lord who was appointed on the Committee that he was not present at its sittings, because, as a matter of fact, he was present, and put a series of Questions to Sir Erskine May. It was, he (Mr. Courtney) thought, somewhat singular that the Report should have been presented without any reason being given for the decision which had been arrived at. It was said, in explanation of this fact, that reasons were not given in former times for the decisions arrived at by Committees on Election Petitions; but there was this difference between such Committees and the present one—that, in those cases, the whole matter in dispute was fought out by interested parties, and the Committee had to decide upon a mass of facts and arguments based upon them; and, in the present case, the Committee had only one side before them. In the perfectly exceptional circumstances of the present case, he thought it would have been well to accompany the Report by a statement of reasons, and such a course would not have been without precedent. The Select Committee were aware of a precedent, for they had printed one in the Appendix to their Report. That was a Petition against the seat of Mr. Lushington for Canterbury, he having been appointed Governor of Madras; and the Committee appointed to consider the case gave an elaborate exposition of the reasons for the conclusion at which they arrived. He could only suppose that there was some special ground for not setting forth the reasons in this instance; and he suspected that the grounds with them, as occasionally with learned Judges who had settled nice points of law, was that, though they agreed as to the main issue, they could not state in detailed form the reason of such agreement. The question turned, in his mind, upon the mode of Sir Bryan O'Loghlen's appointment, and the source from which he derived his income. It was said that the Attorney General was appointed under a commission made out to the Governor of the Colony by the Crown, empowering him

> "To constitute and appoint such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of our said Colony as may be lawfully constituted and appointed by us."

It was not surprising that the hon. and learned Gentleman the Member for Taunton (Sir Henry James) should have referred to this clause, as it had been put forward by Mr. Berry, the Prime Minister of Victoria, in his evidence given before the Committee. Whether the appointment was under Clause 5 had always seemed to him (Mr. Courtney) extremely doubtful, because the Attorney General would not be a person, *ejusdem generis*, with those specially mentioned; and therefore the power to appoint officers given by that clause would not apply to the appointment of the Attorney General, who was not, in the words of the commission, constituted or appointed "a Judge, Commissioner, or Justice of the Peace." In the further evidence given before the Committee, he found that the commission given to the Governor of Barbadoes was worded in almost precisely the same way. It ran thus—

> "We do hereby authorize and empower you to constitute and appoint Judges (and in cases requisite) Commissioners of Oyer and Terminer, Justices of the Peace, and other necessary Officers and Ministers."

But it followed, almost immediately in the evidence, that Henry Beccles was appointed Attorney General of Barbadoes under the Great Seal of England, and not through the operation of that clause. It was thus more than a matter of inference; for the Barbadoes case showed that the office of Attorney General was not included in the clause. That was not all; for if further reference had been made to the commission of Sir George Bowen, it would have been found that Sir Bryan O'Loghlen was not appointed under that clause at all, but under the 4th clause of the commission, to the wording of which he would ask the attention of the House. It was as follows:—

> "And we do hereby declare our pleasure to be that there shall be an Executive Council for our said Colony, and that the said Council shall consist of such persons who are now or may at any time be declared by any law enacted by the Legislature of our said Colony to be Members of our said Council, and of such other persons as you shall from time to time in our name and on our behalf, but subject to any law as aforesaid, appoint under the said Seal to be Members of our said Council."

And if hon. Members would look at the Constitution Act of Victoria they would find that the Attorney General was one of the specified Members of that Council to be appointed under Clause 4, subject to the law and in pursuance of the law, and that was the point on which it appeared to him the whole argument turned. The appointment of the Attorney General was not made through the delegation of any inherent power of the Crown, but in the execution of a statutory duty thrown upon the Governor. The Constitution of Victoria was intended to be the same as our own; but it differed in this respect—that it had been put into words, and all powers were expressed and defined. The Attorney General was appointed under the authority of the Crown by the powers given to the Governor by the Constitution Act of Victoria. The Governor was, therefore, a mere donee of power, not the originator of a power. He had the power to nominate only the persons who should exercise authority and discharge the functions created by the Colony of

Victoria. The Attorney General was an officer of the Government under the Constitution Act of Victoria, a totally different person from an officer under the Crown as contemplated by the Act of Anne. By the 37th clause of the Act of Parliament, which contained the Victoria Act as a schedule, it was provided that the power of appointment to offices which became vacant was vested in the Governor alone; and, by the 18th clause, the Attorney General was named as one of the Members of the Council. The appointment of Attorney General was, therefore, made by the Governor acting under the power of the Constitution Act of Victoria; the Governor was the appointer, and was nominated by the Government at home as a mere donee. With regard to the salary, it was said that the Attorney General received his payment from the Crown, and, therefore, came directly within the meaning and scope of the Act of Anne. But, so far from receiving his salary in the way suggested, it was, in fact, fixed by the same Constitution Act, and did not come from the Crown at all. There were certain sums, which were formerly Crown revenue, in Victoria, reserved by the Act for the Civil List, and immediately rededicated to certain uses. The Crown had no power over the sums so dedicated, which were handed over for the stipends of these officers of the Colony. Although there was power to suppress offices, it was not carried out except with the consent of the Crown. The real analogy to the case was this, and he submitted it to the House as the true view to be taken, and one which would be supported by reference to the clause of the Victoria Constitution Act. Among the funds dedicated to special uses in the clauses referred to, was a sum of £50,000 for Church purposes. Supposing there was in Victoria an Ecclesiastical Establishment, and that power was given under the Constitution Act to the Governor to appoint Bishops from time to time; would it be contended that a Bishop so appointed was an officer under the Crown? Would it be contended that any member of the Ecclesiastical Establishment receiving sums of money so dedicated by the Victoria Constitution Act became thereby an officer of the Crown? It appeared to him altogether a false use of the word. The Constitution of Victoria was written and defined; the powers exercised under it were strictly limited and confined to Ministerial functions; and, therefore, the contention fell to the ground as a mere matter of construction of the words of the Act of Anne. The right hon. and learned Attorney General for Ireland (Mr. Gibson) had added a long Memorandum to the Report of the Committee, leading to the conclusion, as the right hon. Gentleman the Member for Chester (Mr. Dodson) had said, that this appointment was not within the Statute of Anne. The right hon. and learned Gentleman seemed to have expressed some surprise at that conclusion; but he (Mr. Courtney) would point out to him that the sense of the Memorandum came to this—that if the 5th section of the Statute of 41 *Geo.* III. was not a declaratory but an enacting section, then that section would prove that an officer receiving an appointment under the Lord Lieutenant of Ireland was not an officer under the Crown, and that precedent would be fatal to the contention that an officer receiving an appointment under the Governor of Victoria was an officer of the Crown. If this was not a declaratory but an enacting Statute, then the argument and conclusion, that this appointment was not under the Act of Anne, fell to the ground. But how stood the matter? It was enacted, in the operative part of the Statute, that it should not come into force until after the dissolution of the existing Parliament? To declare the law existing at that moment, and then postpone its operation, was a contradiction. The view, therefore, that the Statute was declaratory could not be sustained; and it followed that Parliament then held that an appointment by the Lord Lieutenant was not under the Statute of Anne. There were several other considerations which had not been considered by the Committee, amongst them this point—if it was true that holding an office in Victoria, or any other Colony having a written and defined Constitution, were the same as holding an office under the Crown in the Statute of Anne, so that a person was thereby disqualified from sitting in the House of Commons, then did not this analogous argument appear to be of some weight—that a person who entered into a contract with a Colonial Government fell within the mischief, and even within the words of the Statute which disqualified persons sitting in that House who entered into contracts with the Government here? If the Crown was one and the same—and it could not be conceived that the Crown in Victoria was a different thing in its attributes from the Crown in the United Kingdom—then a contract with the Crown in Victoria would carry with it the same penal consequences as a contract with the Crown in the United Kingdom, and many hon. Members who had entered into contracts with the Crown in the Colonies would be disqualified. For the various reasons which he had given, he thought it was very undesirable that the House should decide the point under consideration upon a mere Resolution. The subject had not been sufficiently threshed out. With all respect for the Committee, they had refused in any way to consider the spirit of the Statute, and had gone on the bare words which did not warrant the conclusions at which they had arrived. The House, therefore, in his opinion, would do well to accept the Amendment of the hon. Member for Rochester (Sir Julian Goldsmid); and, instead of pronouncing an opinion, resolve to have the question considered carefully and deliberately in the form of a legislative enactment.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, that he had listened carefully to the debate, but had failed to hear a single topic or argument suggested that had not been fully discussed before the Committee. He thought it was to be regretted that the right hon. Gentleman the Member for Chester (Mr. Dodson) had suggested some topics which implied that the Committee had been disturbed in their deliberation. Speaking for himself, he was satisfied that every Member of the Committee felt that they were discharging high judicial functions, and that they were anxious to consider the matter from every possible point of view. Every argument *pro* and *con* had, he believed, been urged; and, although no counsel were present, the Committee had done their best to supply that defect, and had unanimously arrived at the conclusion contained in the Resolution submitted to the House. He was satisfied that the House would not deem itself bound by the Resolution; but would dispassionately consider the question involved. The case was very simple and very clear, and it was extremely hard to introduce any doubt into the question. He apprehended that his right hon. Friend the Home Secretary, in the short observations which he addressed to the House, had presented the question from the true point of view. It had been confused by hon. Members having other appointments in their minds. All they had to consider was this—Is the office of Attorney General an office of profit under the Crown? Then, if it was, did it, within the meaning of the Statutes, vacate the seat? Those questions were so simple, that it was very hard to obscure them. He was not going to show what were places of profit under the Crown; but he could not help thinking that the hon. Member for Liskeard (Mr. Courtney) had made a slight mistake in attempting to suggest to the House that he was a better judge than the Prime Minister of Victoria (Mr. Graham Berry) of the section of the Instructions to the Governor of Victoria under the Royal Sign Manual under which the appointment of Attorney General was made. He was entirely unable to follow the argument of the hon. Member with regard to the respective sections relied upon by the Government and himself; because the 4th section, on which the hon. Member relied as being that under which the appointment was made, was as follows:—

> "We do hereby declare our pleasure to be that there shall be an Executive Council for our said Colony, and that the said Council shall consist of such persons as are now, or may at any time be, declared by any law enacted by the Legislature of our said Colony to be Members of our said Council, and of such other persons as you shall from time to time, in our name and on our behalf, but subject to any law as aforesaid, appoint under the said Seal to be Members of our said Council."

It would, he thought, require a very clever man to see that that simple form, dealing with the Executive Council, could refer to the appointment of the Attorney General. It was far more probable that the Prime Minister (Mr. Berry) was correct, when he said that the appointment was made under the 5th clause—

> "And we do further authorize and empower you to constitute and appoint, in our name and on our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of our said Colony as may be lawfully constituted and appointed by us."

It seemed that the Prime Minister of the Colony was more likely to select the right clause; but the matter was not one of very great importance. But it was of importance that the Attorney General of Victoria was "the Attorney General of Her Majesty the Queen in the Colony of Victoria," for that was the full title of his Office. There might be a question with regard to other offices; but it was absolutely impossible that any person called the Attorney General of Victoria could be other than the Attorney General of Her Majesty the Queen. It must also be borne in mind that this official had to swear the following oath:—

> "I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Colony of Victoria: So help me God."

So that there was here a clear indication that he was holding an appointment directly from the Crown. Attention must also be paid to the way in which his salary was paid. What was the meaning of the Colonial Act of Parliament granting the Queen a certain sum of money and then providing that certain officers should be paid thereout? Was it not to bring those officers into privity with the Crown of England immediately they received their appointments and salaries? It would be necessary for the opponents of the Resolution to read the words "under the Crown" in a non-natural sense in order to make out their case. The Victoria Constitution Act, which was the foundation of the existing Constitution, was set out, every word of it, and adopted in the Act of the Imperial Parliament in the 18 & 19 *Vict.* c. 55. The 17th section of that Act was as follows:—

> "If any Member of the Legislative Council or the Legislative Assembly shall accept any office of profit under the Crown during pleasure, his seat shall thereupon become vacant; but such person shall, if otherwise duly qualified, be capable of being re-elected."

He was aware that that section was subsequently superseded by another Colonial Act passed to limit the number of persons holding Offices under the Crown who might sit and vote in the Legislative Council and Assembly of Victoria; but the substituted enactment dealt similarly with the case, and supported the view taken by the Resolution. Was it not a strange thing for the House to be asked to say to the Governors of Colonies—"You may call your officers as much as you like under the Crown, but that is all wrong; they only hold under the Crown in a Colonial and non-natural sense?" That was a point of great importance for the House to consider. There was no case precisely in point to show that this Office was under the Crown. No hon. Member who had spoken lately had suggested that it was not a place of profit under the Crown, most of them having said that it was, but in a sense different to that contemplated by the Acts of Parliament. But there was no difference of opinion as to its being an Office under the Crown. He (Mr. Gibson) apprehended that if the Statutes which were passed in consequence of the Union with Ireland were considered, it would become abundantly plain that they could not be relied upon in support of the Amendment of the hon. Member for Rochester. If they referred to the course of legislation in Ireland before the Union, they would find no Statute bearing upon the question until 33 *Geo.* III., which was practically identical with the Act of Anne. That Statute omitted altogether any reference to the Lord Lieutenant. But an Act passed in the year 1797 afforded indirect proof of considerable force that it was always assumed that an appointment made to new offices by the Lord Lieutenant after 1793 was considered to be an appointment under the Crown within the mischief of the Statute. For the Act he referred to, 37 *Geo.* III., in re-constituting and, in fact, creating a new office, of which the appointment was vested in the Lord Lieutenant, declared that the new officer should be capable of sitting in the Irish House of Commons. That implied that, but for the Act just referred to, he would have come under the Act of 1793. He admitted at once that the Statute of 1798, which had been referred to, was a necessary one, because it was passed to deal with the old Offices which vacated seats and necessitated re-election. It was more than a question whether the person accepting an old Office from the Lord Lieutenant could be held practically to accept an Office from the Crown; and, accordingly, to cover that doubt, the Statute was passed. At the time of the Union the course of legislation on the subject in Ireland was absolutely clear. There was no Statute dealing expressly or specially with new appointments made by the Lord Lieutenant, because it was assumed that such appointments were appointments under the Crown. The Act passed in the 41st George III., so much referred to in the course of the evening, and to which he (Mr. Gibson) had referred in the Memorandum appended to the Report before the Committee, was fully considered. Its history was worthy of note. After the Union a Select Committee of the Parliament of the United Kingdom was appointed to consider the question of Irish placemen. The Act of Union provided that no more than 20 Irish placemen should at any time sit in the House of Commons, and the Committee was appointed to deal with the question for the future. They reported to the House a series of Resolutions, which were ordered to be embodied in the Bill. One of these Resolutions was made the foundation of the 5th section, cap. 52, of the Act to which reference had been made, and had the Resolution been followed in its integrity, that section would have read as follows:—

> "After the Dissolution of the existing Parliament no person holding any office or place of profit immediately or directly from the Crown, or any appointment subject to the approbation of the Lord Lieutenant, &c."

Now, the words "immediately or directly from the Crown" spoke for themselves, while the reference to the Lord Lieutenant indicated another mode of appointment from the Crown which was neither immediate nor direct. It would be seen that the Bill went through without discussion; it became law in a few days; but how the amendment was made he knew not. He ventured to think the clause was unnecessary, and that the old law would have been sufficient; but, perhaps, it was added from excessive caution. Again, the clause might have been declaratory; and Sir Erskine May's opinion was that, without that section of the Act, the appointment would have been regarded as an appointment under the Crown. That was a circumstance entitled to great weight, for the opinion of Sir Erskine May on that question was of importance. Now, he had referred to the Irish Acts of Parliament only to get rid of them. He affirmed that there was not in them anything to cast any substantial doubt upon the meaning of the law; and that brought him back to the Resolution of the right hon. Gentleman the Home Secretary. What was the construction to be given to the Statute of Anne, assuming that this Office was one under the Crown? They had no business, as the House had been asked by the right hon. Gentleman the Member for Chester (Mr. Dodson), to put different words into that Act of Parliament. But what were the clear, plain, and unambiguous words of the Statute?—"Any new office or place of profit whatsoever, created after the 25th of October, 1705." Those words were the widest and most comprehensive that could be imagined; and he used the words of common sense, as well as of law, when he said that if anyone sought to limit the generality of these words, the onus was cast upon him to make out the limitation. Could it be denied that this was a new place? Could it be denied that it was a place of profit; and could it be denied that it was a place of profit under the Crown? Why should the seat not be declared vacant? What alternative had the Committee, with the words of the Act of Parliament before them, not to declare the seat vacant? But a case had been referred to, where a Committee of the House of Commons adopted a different course, which it had been suggested should have been followed by the Committee in the present case. They would have been very willing to follow that advice had such a course been possible. The two cases, however, were entirely different, for the Committee which considered the case of Mr. Lushington in 1829, known as the "Madras Case," had formed this opinion, and reported to the House of Commons that—

> "It appeared to your Committee to be a subject of much doubt whether these enactments apply to the case of any Governor of the East India Company."

But the Committee appointed to consider the present case had no doubt whatever as to the application of the Statutes. It had been said that the Committee should have looked at the object of the enactments, the mischief sought to be remedied, and have considered how far the tenure of a Colonial Office was likely to affect the independence of a Member of the House. But he answered that, by saying that the Committee were not at liberty to take into consideration the greater or lesser probability of the independence of the House being interfered with in a particular case, nor were they in the slightest degree at liberty to do more than consider whether the Office fell within the express terms of the Statutory enactments. It was conceded by a high authority—Sir Erskine May—that an office that might be and must be held outside the United Kingdom fell within the Statute. The admission of that was, to a great extent, an admission of the weakness of the argument based on the alleged mischief of the Statute. He was not influenced by the statement which had been made to the effect that the Statute was of a penal character. It would appear, on the contrary, that it was to be regarded as one of the safeguards of the Constitution of the House, and on that point, he presumed, the high authority of Hallam would be readily accepted by hon. Members. Mr. Hallam said that—

> "These restrictions ought to be rigorously and jealously maintained, and to receive a construction in doubtful cases according to their Constitutional spirit, not as if they were of a penal nature towards individuals, an absurdity in which the careless and indulgent temper of modern times might sometimes acquiesce."

That clear opinion of Mr. Hallam was one which he considered might well be borne in mind in the consideration of the present question. If the question merely related to the Attorney Generalship of Victoria, if nothing as to other appointments was to be read between the lines, a question as to the adoption of the Resolution would hardly have arisen. It would be obvious to anyone who examined the precedents, that Parliament had allowed each case to be decided upon its own merits and upon its own facts, and the Committee would have been usurping the functions of Parliament had they laid down any line to govern similar or analogous cases. They only reported their opinion as to the particular appointment of the Attorney Generalship of Victoria. He could not but think that the question as to Agents General of the Colonies had been present to the minds of some hon. Members. It would have been unbecoming in him to presume to give any opinion on that subject; but he could conceive the widest difference between an Attorney General of Victoria and the Agent General of a Colony. If the question ever came to be discussed—and he did not believe that it ever would be discussed—those distinctions would be apparent which existed, as to the mode of appointment of an Agent, as to the mode of payment, and as to the absence of an oath of allegiance. All these matters would be duly weighed. Was it reasonable, he asked, under all the circumstances, when the Committee had exercised a difficult, an arduous, and a judicial function without passion, prejudice, or the least degree of Party spirit, to ignore the conclusion at which they had arrived? Where was the room for doubt which should prevent the House confirming the decision of the Committee? He ventured to think that the House would arrive at the opinion, which was held by himself, that the Resolution of his right hon. Friend contained a sound conclusion.

MR. SYNAN said, that nearly every Irish Member was in favour of the Report of the Committee, and his only regret was that the question had not long ago been decided. He must also express his surprise that the constituents of County Clare had for two years allowed themselves to be practically disenfranchised. It would be monstrous if by any further delay on the part of the House an end was not put to the unsatisfactory state that existed with respect to the representation of County Clare. There were several ways in which the same result might have been brought about. If the constituents for County Clare had petitioned, in the first instance, to declare that Sir Bryan O'Loghlen had accepted an Office totally inconsistent with his position as a sitting Member, the House might have been put in motion. The House also might have been put in motion by Bill, if appealed to by the constituents. But if put in motion in any manner, he could not see what answer could have been made to a question upon which, he believed, nearly everybody had arrived at the same conclusion. He quite agreed with the right hon. and learned Attorney General for Ireland (Mr. Gibson) that extraordinary circumstances that they all perfectly understood, and which had no connection at all with the case before the House, had complicated the matter. But for the peculiar positions of certain parties, he thought that the Report would not have been questioned; for there was no foundation for saying, as the hon. Member for Rochester (Sir Julian Goldsmid) had done, that there were deep Constitutional questions of very great importance to the country underlying the case. The hon. Member had expressed his intention not to allow a new Member to be returned for County Clare, unless the matter was considered in a Constitutional light, and the hon. Member had declined to allow the vacancy to be declared, unless in the particular manner that he had pointed out. The arguments put before the House by several hon. Members were to the effect that this was not an Office of profit under the Crown, and that the Crown had nothing at all to say to it. It was also said that the hon. Member who had been appointed Attorney General for Victoria could not, by any possibility, take his seat, and that this matter was neither within the mischief or words of the Act of Anne or of the Irish Act of George III. So far as the words of the Act were concerned, it was admitted, and, indeed, it was plain and obvious, that this was a Office of profit under the Crown. But distinction had been drawn between what was an Office from the Crown, and what was an Office of profit under the Crown. The difficulty arose from the words of the Statute of Anne, one section dealing with Offices existing at the time, which Offices must be held directly from the Crown; and a distinction had been pointed out that in the case of new Offices it would be material whether they were in the gift of the Crown, or in that of an Officer of the Crown. In the present case, it was the duty of the Governor of Victoria to appoint the Officer, which he did under the powers of the Constitution of Victoria. Therefore, to say that this was not an Office of profit under the Crown, and did not come within the Statute of Anne, was to quite misapprehend the construction of the Statute of Anne. It had been further alleged that this Officer was not appointed by the Government at all. But, on looking into the matter, it would be found that the Governor himself appointed this Officer and dismissed him; and it was, therefore, in the power of the Crown to interfere in the matter. Supposing Her Majesty thought proper to dismiss the Attorney General for Victoria, She could do so, for he only held Office during pleasure; and if it were thought necessary to take such a step, the Crown, through the Secretary of State for the Colonies, could instruct the Governor of Victoria to revoke the appointment. Here, therefore, was an Officer that could be dismissed by Order of the Queen by means of the Colonial Secretary. Was it to be said that that Officer was not an Officer of the Crown under the Statute of Anne and of the Statute of Geo. III. Another argument was, that inasmuch as this Officer could not take his seat in the House, as he only held his Office during his residence in Victoria, he did not come within the mischief of the Statute, and that, therefore, it did not apply. But it was clear that if the Attorney General for Victoria got leave, he could come to England and take his seat in the House for County Clare. That was by no means an improbable circumstance, for the Attorney General for Victoria, living in the Antipodes, could leave there in the winter and be present in England in the summer. There would be no impossibility, also, in his being allowed by the Colonial Legislature, for its own purposes, to take his seat in that House; and, if he did, would he not be within the mischief of the Statute of Anne? Would he not be as much an Officer of the Crown as the Attorney General for England, for, like him, he could be appointed and dismissed by the Crown. The Act of 41 *Geo.* III. was quite unnecessary and quite superfluous and insufficient to support the argument founded upon it, and the present case was entirely independent of it; and the same might be said of 33 *Geo.* III., for when once an Irish Member took his seat in the Imperial Parliament, he came within the provisions of the Statute of Anne. Under these circumstances, he really did not apprehend what the contention on the other side was. It was true it might be said that this was a case that might be made a precedent for every succeeding one; but for what other case could this be made a precedent? There were cases of Agents General having seats in that House; that fact was well known, and the Gentlemen holding those Offices were deservedly esteemed. A great English legislator in that House, Edmund Burke, occupied a seat while Agent General for New York, and it was not supposed then that he came within the Statute of Anne. The contention was never raised, and the analogy between an Officer like the Attorney General, appointed by the Governor, and liable to be dismissed by the Governor and by the Crown, and an Officer who was a mere Agent for a Colony, was by no means made out. But for that collateral argument that had been brought into the discussion, he did not suppose that anyone would have raised any objection in this matter. It was also said that if this precedent were allowed, considerable difficulty would be found with Colonial contractors. They might come within Colonial Statutes; but how they could be made to come within the Statute of Anne he was at a loss to apprehend. The object aimed at by the Statute of Anne was to insure the independence of Parliament, and to prevent its being influenced by the Crown. He thought that the extraordinary and absurd cases put forward to discredit the Report of the Committee could not be regarded as serious argument. It was time that the House should come to a conclusion on the subject, and should liberate County Clare from the position in which it had so long been placed. He considered that the mode in which that was proposed to be done was a proper one; and he thought that the grounds upon which the Report had been made were perfectly clear. He did not see any other conclusion at which the Committee could arrive; and he therefore hoped that the House would at once unanimously confirm this Report, and that the hon. Member for Rochester would not put the House to the trouble of a Division upon the subject.

Sir EARDLEY WILMOT was sorry to differ from so many hon. and learned Gentlemen of his own Profession, for whom he entertained so much respect. He therefore thought it right that he should state the reasons which had led him to arrive at the opinion he held. This was a most grave Constitutional question, and it was a question far removed from considerations of Party. For that reason, he hoped that his right hon. Friends would not be in any way offended with him because he went into the Lobby against the Party that he usually supported. With regard to what had been said by the hon. Gentleman who had last addressed the House (Mr. Synan), he could not help thinking that what he said showed a certain feeling of annoyance on the part of hon. Members from Ireland that the seat should have remained vacant so long. He could not help feeling that there were anomalies in this question; no one for a moment could doubt it. There was an anomaly in the same person filling two seats at the same time, and there was another anomaly in a Gentleman being the Representative of a constituency and yet not doing his duty to his constituency in that House. By searching the Parliamentary Records, it would be found that the effect of absence from Parliament had on more than one occasion induced hon. Members of the House to declare a seat vacant. In the only other case at all similar which had come before a Committee—namely, Mr. Huskisson's—he found, on looking over the Records, that the circumstances were somewhat different from the present, though he did not think that the circumstances that existed here could induce them to act in a different manner. The House was asked to decide a great Constitutional question, and he felt bound to give his opinion as to whether, under the Statutes, a disqualification had taken place. After the best consideration that he could give to the question, he had arrived at the conclusion that no disqualification had occurred, and he would give his reasons for coming to that conclusion. He had looked through the Statutes, beginning with the 12 & 13 *Will.* III., the Act of Settlement, where the qualifications of Members were laid down in strict terms, and it was provided that Members should not hold Offices of profit under the Crown. Strict and rigid disqualifications were laid down in the case of Members holding such Offices, and also of pensioners. The Statute of 4 *Anne* was passed to modify, to a great extent, the disqualifications previously enacted; but it also maintained them to a great extent, and in a rigid form. In a Statute of 6 *Anne* c. 7, passed in 1705, when the Union between England and Scotland had taken place, were contained the provisions upon which he believed the Committee had acted. That Statute had this peculiarity. The 25th section of that Statute spoke of Members of the House holding places of profit under the

Crown, and provided that they should be disqualified from sitting altogether. In the 26th section, which followed, Members of the House receiving Offices of profit from the Crown were declared to be disqualified and the seat vacated; but further provision was made that the Members so disqualified should be capable of being re-elected. It appeared to him that that Statute made a distinction between Members receiving Offices of profit under the Crown and receiving profit from the Crown. That distinction was made, because the previous section disqualified those holding places of profit under the Crown. But it appeared upon the construction, not only of that Statute, but of 41 *Geo.* III., following it, that these sections applied entirely to places of a permanent character. Commissioners, and a variety of other persons holding appointments set out in the 41 *Geo.* III.—that was the Act of Union between England and Ireland—were disqualified; and it was thereby laid down that a total disqualification attached to appointments of a permanent character only. In the present case, Sir Bryan O'Loghlen, being Attorney General for Victoria, did not hold an Office of a permanent character, but an Office of the same character as the Attorney General held in that House. The Attorney General was considered to receive a place of profit from the Crown, and thereby vacated his seat; but he was capable of being re-elected. For these reasons he differed from the Committee, and he felt that Sir Bryan O'Loghlen could not be brought within the 25th section of the totally disqualifying Statute, as had been held by the Select Committee, because he did not hold a permanent Office of profit under the Crown. As regarded the Office of Attorney General, there were no precedents which they could in any way follow in this case; there were precedents found set out in the Report of the Committee, and there were others in the Books, but none of them touched the present case. If the present case was to be dealt with by the House at all, let it be dealt with in a Constitutional way. Let the same course be followed as had been already done in the case of the East India Company, the Lord Lieutenant of Ireland, and, above all, the Governors of Colonies, which threw remarkable light on the present case. Let an Act, and not a Resolution, be passed; otherwise, the Privileges of the House might be invaded.

MR. MARTEN said, he differed entirely from the hon. and learned Baronet who had just spoken (Sir Eardley Wilmot). It appeared to him that the proper and Constitutional course had been pursued in this case. A Committee had been appointed for the purpose of inquiring into the question as to whether Sir Bryan O'Loghlen had, since his election for Clare, accepted a place of profit under the Crown; and as to whether, in consequence of that acceptance, the seat for the county was vacant? The Committee had carefully investigated the matter, and the result was the Report which was now before hon. Members. A great deal of misconception seemed to prevail in certain quarters as to the real meaning and effect of the Statutes upon this subject. Four Acts of Parliament had been referred to—those of 1793, 1798, 1800, and 1801; but the only Statutes which really bore an express relation to the question now under consideration were the Acts of 1793 and 1801. The former, following the lines of the Act of 1707, made a distinction between those Offices which were included in the term of places of profit under the Crown—a most comprehensive term—and those which were places of profit from the Crown. The Act of 1793 provided that, subsequent to that date, all persons accepting new Offices under the Crown should be absolutely disqualified from entering the House of Commons. Those Offices were of two descriptions—first, there were Offices derived directly from the Crown and under it; and, secondly, there were Offices which were otherwise and indirectly under the Crown. In 1798, the question arose as to whether it was to be considered that Offices to which the appointment was made by the Lord Lieutenant of Ireland, or by a Governor General, were places of profit which came directly from the Crown; and it was for the purpose of giving an affirmative answer on the point that the Act was passed. A singular misconception, however, appeared to have arisen on the subject; and, apparently, that misconception was shared in by a very high authority, to whose opinion hon. Members were accustomed to look with great respect. He referred to Sir Erskine May, who gave evidence before the Committee with regard to the Act of 1801. It was said that that Act, to a considerable extent, countenanced the idea that appointments made by the Lord Lieutenant of Ireland were not appointments under the Crown. With the permission of the House, he desired to state what seemed to him to be the exact state of the case. The two Acts on the subject which it was here necessary to refer to were the Act of Union of 1800 and the Act of 1801. The Act of Union was a matter of treaty and bargain between the Kingdom of Great Britain and the Kingdom of Ireland; and, without entering into any controversy as to the nature of the means by which the Union was brought about, it was a matter of fact that the Act of 1800 provided that until the Parliament of the United Kingdom of Great Britain and Ireland made some distinct and definite arrangement on the subject, a certain number only of those who held Offices under the Crown in Ireland should be admissible to take their seats in the Legislature of the United Kingdom. When the Act of 1801 came to be discussed, several important points were dealt with and determined. The question was considered as to what persons should be eligible in the Parliament of the United Kingdom for seats for English constituencies, and as to what persons should be eligible for constituencies in Ireland; and the provisions which were enacted on these points as to seats in the United Parliament were to the effect that the law which had existed with reference to the constituencies of Great Britain should continue to exist as regarded seats for constituencies in Great Britain, and that the law which had existed with regard to Irish constituencies should also continue to prevail with regard to seats for Irish constituencies. Certain special provisions were also made as to Irish placemen sitting in the United Parliament. The Act of 1801 was, therefore, as its title showed, both a Declaratory Act and also an Act to give effect to the Article of Union which reserved the question in what cases persons holding Offices or places of profit under the Crown of Ireland should be incapable of being Members of the United Parliament. The words of the Act were perfectly plain and intelligible; and he ventured to think that, upon calm consideration, the point which had been raised with respect to the construction of the Statute of 1793 entirely disappeared. In the present case, the simple answer to some of the objections which had been made was a reference—narrow and technical, perhaps, but sufficient—to the plain words of the Statute itself. It was obvious that the position of Attorney General for Victoria was an Office under the Crown; that it was an Office of profit, and that it was a new Office. The Governor of Victoria was the person who made the appointment; but he held the Queen's commission and was the Queen's Officer and Representative, and he derived no authority except from that commission. It was said that the Governor of Victoria had special authority given to him by the Victorian Constitution Act. No doubt he had certain powers; but in what capacity were they exercised?—purely in the name of Her Majesty. His oath was taken to the Queen, and all the authority of the Governor was exercised by him on behalf of Her Majesty, and as Her Lieutenant. To put forward the checks imposed upon the Constitution of Victoria as affecting the present question was to deny not only the effect, but the literal and plain words of the Act of Parliament—it was simply a begging of the whole subject. As to the motives by which the Legislature of the past had been influenced in dealing with this matter, it appeared to him that the great motive which Parliament had in view in acting as it did was to prevent the House being overcrowded with placemen, who would not be independent Representatives of constituencies, and who might be easily controlled. Things had changed so much in our day that we might almost laugh at the idea of the Representatives of the people being influenced in any such way; but, at the same time, the Statute was adopted by the Legislature, and while it remained the law it must receive complete effect. The language of the Act, under which the case now before the House must be dealt with, was plain and comprehensive in its terms. Why, therefore, shrink from its application? Why attempt to declare that the matter was one of a doubtful character, and that the House ought to proceed by way of a fresh Bill? It had been said that cases might arise in which great personal inconvenience might be experienced under the existing law. It was not incumbent upon hon. Members—nor had they a right—to enter upon purely speculative cases when the Act which was before them was perfectly distinct. Cases might, however, be easily imagined in which the Act would operate beneficially. While on most subjects the Government at home and the Government of Victoria might be acting together in entire accord, questions at some future time might arise as to the power of the Crown and as to the rights of the Colonies; and it was of great and manifest importance that if any such question should arise the House of Commons should be absolutely free from the slightest risk of improper bias upon the part of any one of its Members. Suppose that the Victorian Ministry, in some great Colonial question, took the view of the Ministry of the day here in opposition to a great Party here. The scale, but for the Act, might be turned by a Victorian placeman, occupying a seat in the House of Commons, and supporting the view of his colleagues in Victoria, with unlimited leave of absence here to advocate their cause. He did not believe that in these days any Gentleman who had a seat in that House would be influenced by improper considerations; but the Legislature had wisely sought to take away any element of interest which might possibly prejudice the decision of important questions, and the measures which the Legislature had sanctioned must be respected and obeyed. The object throughout had been to preserve the complete independence of hon. Gentlemen who had seats in the House. He had looked very carefully into the whole subject, and it did not appear to him that the hon. Baronet who proposed the Amendment (Sir Julian Goldsmid) had made out any case showing that there was the doubt which he suggested. In these circumstances, the Report of the Committee ought to receive the approval and sanction of the House.

Mr. E. JENKINS said, it had been suggested that hon. Members who were disposed to take exception to the terms of the Report presented by the Committee were actuated by considerations other than those which came to the front upon the evidence before the House. For himself, he felt that he was perfectly free to give a fair and unbiassed opinion upon the question. There were evidently two points of view from which the subject might be regarded. There was the point of view of the House of Commons with regard to its own Privileges and interests, and there was the point of view of the Colonists. He had been looking at the matter from the latter aspect; and, so regarding it, it appeared to him to be a very important question. How was it that, at the present moment, the House was engaged in a discussion of the subject at all? It was owing, unfortunately, to the manner in which the interests of the Colonists had been administered in past times by past Governments, and to the circumstance that there was a want of definiteness in the relations which existed between the Colonies and the Mother Country. The day was not far distant when that want of definiteness would lead to danger, perhaps to collision, and possibly even to separation. The arguments which had been addressed to the House in support of the Report of the Committee could be boiled down to this simple proposition—that, according to the Act of Anne, a person who held an Office of profit under the Crown was not eligible for election as a Member of Parliament, or, rather, that he was liable to lose his seat. The words "under the Crown" had, however, been taken by the lawyers of the House in their literal sense, in utter defiance of the elementary rules which were always applied to the interpretation of Statutes, and which were put in practice and operation every day. The hon. and learned Member for Oxford (Sir William Harcourt) had taken the words in that literal sense; but the hon. and learned Member very often disregarded elementary rules in his arguments and in his principles. The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Gibson) had contended, as he (Mr. E. Jenkins) understood, that because this was an Office of profit outside England the case was one which came within the operation of the Statute of Anne—within the letter and spirit of the Act. He (Mr. E. Jenkins) did not know whether the Judges in Ireland were satisfied with such arguments as those which had been employed by the right hon. and learned Gentleman; but he had certainly listened with wonder to what he had said upon the present occasion. What was an office of profit under the Crown; and what were the conditions under which such an office was held? He did not intend entering upon a consideration of the question as to whether the 25th and 26th sections of the Act of Anne were collateral or correlative. His own opinion was that the words "office of profit under the Crown" were no larger than the words "office of profit from the Crown." He would also desire to point out one or two significant matters in the Papers. Although the Act expressly reserved the appointment of these Ministers to the Governor, without saying, "the Governor in Council," yet, on the other hand, the Advisers of the Colonial Office, anxious to carry out that which had been granted to the Colony—the absolute right of independent responsible Government—in their draft of instructions under the Royal Sign Manual and Signet to Sir George Bowen said—

> "That it be hereby directed and enjoined that in the execution of the powers and authorities given to you by our said commission, you do, in all cases, consult with our said Executive Council, except in such cases where our service would sustain material prejudice by consulting the said Council thereupon."

Executive Council, he understood, meant the Local Council, so that the Governor was absolutely instructed, even in cases where he had a discretion, acting under the Act as a Constitutional Sovereign, to act, as the Queen Herself would act, and to take the advice of his Ministers. He did not care what was said by the Representatives of the Crown in that House. There was not a shadow of a doubt, either theoretically or practically, as to whether any interference could take place in the action of the Governor, as advised by his Council, upon these questions of local patronage. He had shown how this question arose, and it was one of the questions in regard to which a protest was made, and upon which the Government brought in this Bill. Together these facts constituted evidence, which was absolutely overwhelming, that the Crown had denuded itself of any right of interference. Could the House come to the conclusion that this was an office of profit under the Crown under these circumstances? He would simply ask the House, in deciding, to remember that in deciding this question they might be raising grave Constitutional questions which might hereafter lead to misunderstanding.

MR. FORSYTH, said, some years ago he was elected as a Member of that House, and was held to be disqualified as holding an Office under the Crown. That decision had both surprised and disappointed him; and he was not likely, therefore, to put too wide an interpretation upon the words of the Statute in order to disqualify a person elected to serve in Parliament. At first he did think this case was not within the Act; but he had since, upon consideration, come to the conclusion that the Report of the Committee was correct. They might admit without much difficulty that an Office of this kind was not within the contemplation of the framers of the Statute of Anne; for, as a fact, at that time there was no Colony which had a Constitution like that of Victoria. The nearest approach to it was the Colony of Barbadoes, which had enjoyed something like a Constitution from the time of James I. It was not however, likely, that they had that Colony in view, and the object of the Statute was of a different kind, to prevent placemen from filling the House. But the question for them to decide was not what might be supposed to be in the contemplation of the Legislature at the time. If they found the words in the Statute were plain and explicit, and if this Office came within those words, he felt that he had no option but to give effect to them, and he could not inquire as to the intention of the framers as he might do if he were doubtful of the meaning of the words. He did not think it possible to contend that this was not a new Office of profit under the Crown; and as that question had been already fully discussed he did not intend to say more upon it. But he had risen, principally, to point out that there had been some mistake and misconception as to the meaning and object of the two Statutes that had been referred to. By the Irish Statute of 1793, it was enacted that all persons who might hold any new Office under the Crown of Ireland, created after 1793, should be disqualified from sitting in Parliament. Then the Act of 1801, passed by the Parliament of the United Kingdom, provided that no person holding any office of profit by the nomination or appointment of the Lord Lieutenant should be able to sit in Parliament. It was argued that if after the Act of Union it was necessary to declare that persons holding Office from the Lord Lieutenant should be disqualified from sitting in Parliament, it was implied that persons holding Office under the Lord Lieutenant might sit. But that argument was untenable. The Act of 1801 declared that persons should be disqualified from sitting in the United Parliament. Its first three sections provided that all the disqualifications applicable to the Parliament of Great Britain and to the Parliament of Ireland should apply to the Parliament of the United Kingdom. This might have been thought sufficient to disqualify all persons who held Offices from the Lord Lieutenant in Ireland. But there was a further enactment. The Act of Union contained a provision that no greater number than 20 of persons holding Offices of profit under the Crown of Ireland should be capable of sitting in the United Parliament until an Act was passed disqualifying them. It therefore, in effect, enacted that 20 such persons might so sit until disqualified by a subsequent Act. Now, the object of the Act of 1801 was to declare what persons should be disabled from sitting and voting in the Parliament of the United Kingdom. It disqualified several classes of officers specifically by name, and then it went on to disqualify all persons after the end of the existing Parliament who held any Office of profit from or by the nomination of the Lord Lieutenant of Ireland, obviously intending to exclude all who held Office under the Crown of Ireland, although they might be within the number of 20 allowed by the Act of Union to sit. The enactment was passed not with a view to any distinction between Offices held under the Lord Lieutenant as representing the Crown and Offices held from him, but simply to prevent any of those 20 in future who came within the meaning of the Irish Act of 1793 from sitting in the Parliament of the United Kingdom. Notwithstanding his original doubts, he had now come to a clear decision upon the matter, and he should vote for the Motion.

Mr. SULLIVAN said, the occasion was very tempting for a general display of Constitutional Law; but in the few observations he would ask permission to address to the House, he would avoid airing any law at all, and would confine himself to the points that had arisen in the course of the debate. He was perfectly astonished to find hon. Members, who were supposed to be permanently identified with principles of popular liberty and Constitutional freedom, sustaining the monstrous proposition that placemen under the Crown might sit in that House. The doctrine involved in the Amendment was simply that the Crown was not the same in one clime that it was in another, and that under the Crown in Australia did not mean under the Crown in England. Much had been made of the fact that no precedents had been laid before the Committee; but as to that there was great misconception as to what took place. He should be glad to know by what authority it had been assumed that there was not a full discussion, and that the Committee did not do certain things which certain hon. Members thought they ought to have done. In fact, the Committee listened with the greatest interest to an exceedingly able and protracted debate on every conceivable Constitutional point involved in this Resolution, and they had also the advantage of having almost every conceivable objection supported and ably pressed by the right hon. Member for the University of Cambridge (Mr. Spencer Walpole). That right hon. Gentleman, one of the most experienced lawyers in the House, put before them *seriatim* the points urged in the debate, and having considered them, the Committee arrived at a unanimous conclusion on the subject. The hon. Member for Liskeard (Mr. Courtney) fell into a very grave error, when he said that the appointment of Sir Bryan O'Loghlen was made under Clause 4 of the Warrant to the Governor of Victoria. That, in fact, constituted the whole difference. He was not appointed under that clause as a Member of the Council, but as an Officer of Ministers under Clause 5. That clause was as follows:—

> "And we do further authorize and empower you to constitute and appoint in our name and on our behalf, all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers of our said Colony, as may lawfully be constituted and appointed by us."

Turning from that clause, which governed the considerations involved to the actual appointment, they found that Sir George Bowen "constituted and appointed him to be the Attorney General of the said Colony of Victoria;" that was to say as an Officer, and not as a Minister, and he was appointed under the 5th, and not under the 4th clause. As to precedents, it was, no doubt, true that they had none which would exactly square with this case; but the reason of that was, that the framers of the Act upon which reliance was placed had not before their minds such a case as that of a constitutionally self-governed Colony as they now possessed. But he would put it to any hon. and learned Gentleman in that House whether he had ever known a case in which, when the language of a Statute was clear and explicit, anybody was allowed to go behind it? As a very junior member of that learned Profession, he had never before heard such a proposition put forward as that they were to go behind the plain, explicit, and sufficient words of the Act, and deal with what was historical, and endeavour to find out what was in the minds of the framers of the Statute. Even if they could do so, however, what was the mischief that the Statute was designed to prevent? The hon. Member for Liskeard seemed to assume that the entire design of the Statute was to prevent men from going into Parliament with the salaries of the Crown in their pockets, and so to be amenable to the influence of Ministers. But the influence of the Crown in Parliament, always so jealously guarded against by their forefathers, might be exercised in a negative as well as a positive way—by keeping men out of Parliament as well as by having them in it. He had also yet to learn that it would not be a grave infringement upon their Prerogatives for the Crown to keep men out of the House and to send them away. The hon. Member for Liskeard had told them that if the framers of the Act could have foreseen this case they would have hesitated from applying the Act to it. He (Mr. Sullivan) did not agree with the hon. Gentleman, and, on the contrary, was decidedly of opinion that this case was as clearly within the spirit of the Act as it was comprised within its letter. The doctrine the hon. Gentleman wished to set up simply was that it ought to be possible, in the name of popular principles and Constitutional liberty, for a Crown official, with the money of the Crown in his pocket, to come into that House. [Mr. COURTNEY: No, no.] The hon. Member seemed to think this was not the money of the Crown. It certainly was so, just as much as any other Crown Revenue raised from taxes. The Crown in Victoria had no Crown Revenue apart from the taxes voted to it, and, in that sense, all salaries voted to Crown officials were the moneys of the Crown. The hon. Baronet the Member for Rochester (Sir Julian Goldsmid) seemed to maintain, then, that it should be tolerated in the Commons of England that a Crown official, with his salary in his pocket, should come among them and take his seat as a free Member of Parliament, without even submitting himself to the ordeal of re-election. The proposition could not be tolerated for a moment, and the evil certainly was quite as great as that dealt with in the cases of the Governors of the Bermudas and Minorca. There was another aspect of the question, though it did not properly arise on this debate, which struck him very forcibly, and it was an evil which very nearly arose. Sir Bryan O'Loghlen, after his election for County Clare, was elected to the Legislature of Victoria, and took Office under the Crown. He paid his constituents at the Antipodes the compliment, at any rate, of vacating his seat and presenting himself for re-election, a compliment he apparently did not think the people of the County Clare worthy of receiving at his hands. He was returned again, and it was then proposed that he should be sent across to this country to prosecute the interests of the Assembly of Victoria in their dispute with the Legislative Council; and it was pointed out that he was pre-eminently qualified, because he would have the status of a Member of the House of Commons, and could come into their House to carry out the behests of the party of which he was the missionary. He could conceive nothing more derogatory to the character of a Member of this House, and to the freedom of the House, than that such a transaction should have been possible, and yet possible it would have been under the doctrine set up that evening. The party in Victoria found, however, some other ambassador. He might be told, perhaps, that Sir Bryan O'Loghlen would have vacated his seat in Victoria by leaving the Colony. But that was only if he left it without leave; and as the Prime Minister (Mr. Graham Berry) was at the present time in this country on leave, he supposed Sir Bryan O'Loghlen might have got leave also. The hon. Member for Dundee (Mr. E. Jenkins) seemed to contend that £2,000 a-year was not an office of profit; he (Mr. Sullivan) could only say that on that subject many Members would think differently from him. It seemed to him that the case might be reduced to exceedingly simple dimensions, although it was one which offered tempting allurements to put forward ingenious theories that might be exceedingly interesting elsewhere, but which, he thought, were hardly applicable in the present case. As a Member representing an Irish constituency, he would remind the House that the vote it was giving was, whether the House would permit a constituency to be disfranchised as the constituents of the County Clare had been by the transactions that had taken place on this question? They had to determine whether a man should receive a salary of the Crown for doing the business of the Crown in a distant Colony, and be thereby prevented from taking his seat in the House and unable to attend to his duties in that House, and yet retain his seat? That was a consideration which had infinitely more weight than the mere theories which had been put forward Mere technical issues had been attempted to be raised in the case; but he thought they should set them aside, and should rise to the doctrine that the influence of the Crown, not merely actual, but theoretical, should, so far as possible, be banished from the House.

SIR HENRY HOLLAND said, that as he had, when in the Colonial Office, prepared the Royal Commission and Instructions to Sir George Bowen, he might, perhaps, be allowed to correct an error made by the hon. Member for Liskeard (Mr. Courtney), and a misapprehension of the effect of the Instructions into which the hon. Member for Dundee (Mr. E. Jenkins) seemed to have fallen. The hon. Member for Liskeard, referring to the Commission, stated that the appointment of the Attorney General could not have been made by the Governor under the 5th section of the Commission, because the Office of Attorney General was not *ejusdem generis* with other Offices specially referred to in that section; and that it was, in fact, made under the 4th section, by which the Executive Council was created. But he (Sir Henry Holland), without admitting that the appointment could not have been made under the 5th section, wished to point out that it was in truth made under the powers vested in the Governor by the 1st section of the Commission, by which the Governor was empowered to do and execute all things according to the several powers granted to him by virtue of the Commission, and according to such Instructions as were then or might be given to him—

> "And according to such laws and ordinances as are or shall hereafter be in force in our said Colony."

The appointment of the Attorney General was, by the law of the Colony, vested in the Governor, and he was by the Commission authorized to make it. How, then, did the matter stand? If the Queen Herself had been in the Colony, the appointment would have been vested directly in the Crown. In Her absence, it was vested in the Governor—that was, the Representative of the Crown—not in the Governor in Council—that was, not in the responsible Ministers. And this brought him (Sir Henry Holland) to the point raised by the hon. Member for Dundee as to the effect of the clause in the Instructions, by which the Governor was directed "in all cases to consult with the Executive Council of the Colony." The hon. Member took that as binding the Governor in all cases to act upon the advice of his responsible Ministers. But the Governor was only bound to consult them; and when a power was vested in him as Governor, he was not bound to act upon their advice, as he would be if the power was vested in the Governor in Council. Of course, he would, except in special circumstances, act upon the advice of his Ministers, and in 99 cases out of 100 no difficulties would arise; but still where, by the Colonial Act, any power was vested in him alone as Governor, he had to exercise his own judgment, and was responsible to the Crown for the manner in which he exercised it. Questions had arisen, more than once, when a Governor had been asked by his Ministers to do some act—for instance, to issue a Warrant of which he had doubted the strict legality; and, in such cases, he had been instructed from home that where the power to do the act had been vested in him alone he should decline to do it, if advised of its illegality, although, in all ordinary cases, he should act upon the advice of his Ministers. As regarded the special case now before the House, he (Sir Henry Holland) would only remark that, in his opinion, it was an Office of profit under the Crown. The appointment was, by the Colonial Act, vested in the Governor, who had, by another section, power to abolish the Office. The Governor also had power—as admitted by Mr. Graham Berry, the present Premier of Victoria—by his mere Prerogative, to dismiss the Attorney General. As, however, he (Sir Henry Holland) had only risen to explain the effect of the Commission and Instructions, he would not detain the House by any further argument in the case.

MR. W. E. FORSTER said, that he could not pretend to argue this question with the same technical knowledge as many hon. Members were possessed of. He was going to make a personal remark with regard to what had been said as to his share in this Report. He was one of the Members of this Committee, and he should be very sorry for the House to suppose that he had absented himself when the Report was made without being obliged to do so. It was a very important Report, and very deeply affected the position of the House. He took care that his opinion on the subject should be known, and he entirely agreed with the other hon. Members that there was no alternative in the matter. A legal question was brought before them, and it seemed to him that upon that legal question but one opinion could be entertained. The opinion he formed, with the rest of the Committee, was that this was an Office of profit under the Crown, and within the Statute of Anne; and, therefore, he thought that the Committee could only make the Report they had upon the Reference sent to them. Their duty was plain, to make that Report. It seemed to him that there was a conflict of absurdities in this matter; they had an absurdity on one side, and they had another on the opposite side to meet it. It was an absurdity that a Gentleman should be elected in Victoria to represent a very important county in Ireland, without the slightest probability that he could ever come into that House to perform his duty as a Representative. Perhaps it was rather a fortunate thing that he was proposed to be disqualified by the Act of Anne. It was almost as absurd to say that that Act was ever meant for such a case as that, as to deny that the legal interpretation of it was to disqualify Sir Bryan O'Loghlen. The Act of Anne was meant to guard against the House of Commons being influenced by men whom the Crown Ministers in England could put in, and they knew that the Attorney General of Victoria, if anyone were, was beyond the influence of the Ministry in England. In all probability, the Ministers of the day in England would have no influence over the Officers of the Minister of the day in Victoria, and, therefore, the Act of Anne was never meant to apply to such a case as that. But here was a case, where a man was elected who could not serve and would not serve, and was of no use to the electors, and yet they were unable to get rid of him without bringing in the Statute of Anne. That seemed to him to be rather a convenience than otherwise; but he thought it would be a great disadvantage if they allowed for the future any great uncertainties to remain in their relations with the Colonies in this matter. He did not say it would be necessary to have a Declaratory Act with regard to this Office in the Colonies; but still it was a subject well worthy the consideration of the Government and the House whether it would not be advisable. But there was one matter which he should wish to allude. Allusions had been made to the position of the Agents General for the Colonies. His hon. Friend the Member for Rochester (Sir Julian Goldsmid) had alluded to the subject, as well as his right hon. and learned Friend the Attorney General for Ireland (Mr. Gibson). Now, he was of opinion, and he believed that he gave expression to the opinion of the Committee, that the case of the Agents General was altogether different from the present case, and that the arguments upon which the Committee came to the conclusion in Sir Bryan O'Loghlen's case did not apply to that of the Agents General. This, however, was a matter upon which any doubt whatever was a disadvantage; and he could suppose it possible that a gentleman might be deterred from becoming an Agent General, who otherwise would become so, if any doubt existed. He was of opinion that it was a most desirable thing that they should have the assistance in that House of Representatives from the Colonies if any constituents chose to elect such Gentlemen. There was only one remark made by his hon. and learned Friend the Member for Louth (Mr. Sullivan) with which he could not agree. He said what a misfortune it would be if Sir Bryan O'Loghlen, the hon. Member for Clare, appeared in that House as Attorney General for Victoria, and represented the views of the Government of Victoria upon the important question which they now knew to exist. He (Mr. W. E. Forster) could not wish him there as Attorney General; but he would be exceedingly glad to have him or anybody else there who was able to speak to the House as representing the opinions of the Colony of Victoria. He did not wish to introduce a very wide political question; but he supposed he was only speaking what was felt by hon. Members on both sides of the House, when he said that if their connection with the Colonies, which they all thought desirable, should continue, they knew very well that the time must come when there must be some kind of General Conference or some joint representation of the different parts of the Empire. It was very likely that it would be brought about in the usual way in which matters were managed in this country. They were in the habit of making a transition from one system to another by meeting the difficulties of the day, and by finding that they could meet them by something which seemed to be a matter of detail, but which was really a matter of great importance. He should be exceedingly sorry that a means, by which it appeared to him that they could get an indirect representation from the Colonies which might ultimately lead to a direct representation, and which might be now effected by means of the Agents General, should be in the slightest degree discredited in that House. He was sure that this was a matter on which not only was there no feeling of Party, but hon. Members on both sides of the House would feel exactly the same, and that the Government would take the same view; and he would be very sorry that this mere technical decision, which came as a relief from a difficulty, and which seemed to him utterly inevitable, should be at all interpreted as interfering with this indirect, although very practical, representation of the Colonies which they hoped to see accomplished.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, he did not know that he could add anything to the arguments that had been brought forward in favour of the decision of the Committee, or that he could do any good by re-iterating those arguments; but he was glad to have it in his power to express his gratitude to the hon. Baronet who had moved the Amendment (Sir Julian Goldsmid) for his very candid explanation of the reason that had induced him to alter the form of it, and to make it reflect less seriously upon the Committee. When the hon. Baronet put his dreadful Amendment upon the Paper, all those who were Members of the Committee felt that a very grave reflection was cast upon them. It was said that they had done what they ought not to have done. It was said that they had come to an opinion of an entirely erroneous character, without paying the slightest regard to the evidence brought before them. Certainly, those were expressions of condemnation of the Committee which were very painful, and he was very happy to hear that the hon. Baronet had only placed that condemnation upon the Table of the House because he did not know exactly what else to do. He said that he was in a hurry, and did not consider the matter, and did not arrive at any conclusion upon the subject. Therefore, because he was in a hurry, and because he did not consider the matter, he thought it right to censure the Committee. He was very glad that the hon. Baronet had explained what his views with regard to the matter were; but he must ask him in future, when he undertook a similar task, to bear in mind for a moment the agony he inflicted, and to consider that he had made the Committee writhe throughout the whole of these arguments. It was very delightful to know that the hon. Baronet had not determined that the Committee was wrong, and that he only declared them to be so because he was in a hurry. With regard to the question itself, it seemed to him that although it was a very great question, and one involving Constitutional considerations, yet, that it was a question of the greatest possible simplicity. It was simply this, whether Sir Bryan O'Loghlen came within the Statute of Anne; for he did not think that the Irish Statutes had much to do with the matter. If it were relegated to the Statute of Anne, the simple question that the Committee had to deal with was to say whether or not that Statute applied to Sir Bryan O'Loghlen. They had to say whether he had accepted an Office of profit under the Crown. The whole thing depended upon whether the Attorney General for Victoria—that was, Her Majesty's Attorney General for the Colony of Victoria, who received pay at the rate of £2,000 a-year from Her Majesty's Revenues—held an Office of profit under the Crown. It seemed to the Committee that this was an Office of profit under the Crown; and it was said that, in coming to this conclusion, the Members of the Committee were guilty of some extraordinary error and ignorance of the elementary rules in the construction of Statutes.

MR. E. JENKINS observed, that his observation was strictly personal to the hon. and learned Member for Oxford (Sir William Harcourt).

THE ATTORNEY GENERAL (Sir JOHN HOLKER) was extremely obliged to the hon. Member for Dundee for his correction. He understood from him that the hon. and learned Member for Oxford (Sir William Harcourt) had alone been guilty of some extraordinary neglect and ignorance of the elementary rules in the construction of Statutes when he came to the conclusion that this was an Office of profit under the Crown. But the explanation of the hon. Member did not quite take away the stain from the other hon. Members forming the Committee, because they were unanimous in coming to the conclusion that this was an Office of profit under the Crown, and, therefore, they must also have been guilty or some extraordinary neglect.

MR. E. JENKINS was sorry to have been misunderstood. What he said was in answer to the hon. and learned Member for Oxford (Sir William Harcourt), who had objected that the mischief of the Statute was not in question.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, that, before they came to the mischief of the Statute, it would be well to see what language was used by the Statute of Anne. That Statute declared that whenever any Member should hold a new Office of profit under the Crown he should be incapable of sitting in Parliament. The language was as general and comprehensive as it could possibly be; and the question arose whether this was an Office of profit under the Crown? Sir Bryan O'Loghlen was appointed Attorney General for Victoria and received his appointment from the Governor of Victoria, and from him alone, and the Governor of Victoria was the Representative of Her Majesty, and was bound to obey Her instructions. Under the Statutes, the appointment was not to be made by the advice of the Executive, but by the Governor himself. Therefore, they had Sir Bryan O'Loghlen receiving his appointment from the Representative of Her Majesty. He was paid by virtue of a Constitutional Act, recognized by the Legislature of this country, and scheduled to an Imperial Act of Parliament, out of the funds stated to be accepted and taken by Her Majesty, Her heirs and successors by way of that Civil List, instead of the territorial Revenues of the Crown, including all Royalties from whatever sources arising in Victoria, and to the disposal of which the Crown was entitled. Sir Bryan O'Loghlen was, therefore, appointed by a Governor representing Her Majesty, and paid out of the Revenues belonging to Her Majesty, and one could not well see how it could be argued that the Office he held was not one under the Crown. Moreover, the matter had been decided by an Act of the Parliament of Victoria. He thought they were entitled to pay some meed of respect to that Parliament. The provisions of the Statute constituting Victoria a Colony, and the subsequent Constitution Acts, were plain and distinct. Under the provisions of Section 16, if any Member of the Legislative Council or Assembly accepted any Office of profit under the Crown his seat was thereupon to be vacant; but such person should, if otherwise duly qualified, be capable of re-election. No doubt, the law in Victoria was somewhat different to their law. The persons disqualified were set out, and by the 3rd section the Attorney General was declared to be one of such persons. Therefore, according to the Victorian Statute, a man who accepted Office under the Crown vacated his seat, although capable of being re-elected. Surely they were entitled to pay some respect and attention to this declaration of the Victoria Legislature. Of course, it might be said that this Office in Victoria was not an Office under the Crown —that it was an Office under the Prime Minister of the Colony, or under the Executive of the Colony. But no. When the Victorian Parliament came to deal with the matter, they said—"This is an Office of profit, and it is one which the Attorney General holds under the Crown." Thus they had the distinct language of the Act in favour of the decision the Committee had arrived at; they had common sense in favour of that view; and they had the declaration of the Parliament also in their favour. He would then proceed to consider the mischief which the Act of Anne was intended to remedy. The object of the Statute of Anne was to prevent placemen —persons who were or who might be under the influence of the Crown from obtaining a seat in the House of Commons. In dealing with that question, they must not assume that Sir Bryan O'Loghlen would always remain where he now was, in the Antipodes. If he did, little harm was done by him; but the House of Commons did not do much good. The House of Commons was bound, from the absurd necessity of the case, to assume that Sir Bryan O'Loghlen might come from the Antipodes to take his seat there. Supposing he did, there was no reason to suppose that he would do anything wrong. He believed him to be a most honourable Gentleman, and incapable of acting improperly or yielding to pressure brought to bear upon him. But assuming, however, that Sir Bryan O'Loghlen was not of that character, and that he came to that House and took his seat below the Gangway opposite, or on the Ministerial side of the House; suppose he made himself obnoxious to the Government, as hon. Gentlemen sometimes did on both sides below the Gangway; suppose the Government thought right, as some Governments might — this Government would never dream of it—to teach him a lesson, they had only to advise Her Majesty. He did not say that Her Majesty would act upon that advice; but if they did advise Her Majesty, and She chose to act upon the advice so received, Her Majesty had the power at any moment to deprive Sir Bryan O'Loghlen of his post. No doubt, to many hon. Gentlemen £2,000 a-year was not much; but to some it was a great deal of money, and it might induce some people to say—"We will not take that honourable, firm, and independent course we should have taken, if we were quite sure that we could not be deprived of our post." It was clear, therefore, that it was not impossible that this case might come within the mischief contemplated by the Act. He did not rely upon that argument altogether, nor did he think that there was any such elementary rule of construction as that to which the hon. Member for Dundee (Mr. E. Jenkins) had alluded. The right hon. Gentleman the Home Secretary had said that all these considerations were to be imported only if the words of the Statute were doubtful; but in this case the words of the Statute were perfectly plain—no words in any Statute could be plainer and more intelligible. He would like to put to the hon. Member for Dundee this sort of case. He said that in interpreting a Statute regard must be had to the mischief it was intended to meet. The Statute said that no man who held an Office of profit under the Crown should continue to occupy his seat in the House of Commons. Supposing a man of wealth, and of high and excellent character, were to take his seat in the House, such a man might be of a firm and conscientious character, and determined to do nothing which he did not like; in fact, he might be a sort of model character—if such a man could be found. But, supposing Her Majesty chose to present him to an office of profit, which might be a Recordership worth £25 a-year, it would be ridiculous to suppose that a man of the character he had described would be likely to be influenced by the possible loss of £25 a-year. But would the hon. Member say that such a case would not come within the mischief of the Statute of Anne, because there was no probability of the Member being influenced by any pressure that might be brought to bear upon him by the Crown? This was one of the cases the Act of Parliament was framed to meet. The Committee had taken the matter into their serious and earnest consideration. They were actuated throughout by a desire to arrive at a proper conclusion, and, in his opinion, they had done so. When they decided that the Attorney Generalship of Victoria was an Office of profit under the Crown, and that the seat of Sir Bryan O'Loghlen was vacant, all sorts of objections had been raised to the decision of the Committee; and one of those objections was that the Committee had not stated its reasons for coming to the conclusion it had. He could only suppose that it was not usual to do so. But it seemed to him that the hon. Members of the Committee had stated their reasons. They had said Sir Bryan O'Loghlen's seat was vacant because he had accepted an Office of profit under the Crown. What better reason could they have offered?

Question put.

The House *divided*:—Ayes 180; Noes 11: Majority 169.

AYES.

Adam, rt. hon. W. P.
Agnew, R. V.
Alexander, Colonel
Anderson, G.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Assheton, R.
Bagge, Sir W.
Barran, J.
Barrington, Viscount
Barttelot, Sir W. B.
Bass, A.
Bates, E.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beaumont, Colonel F.
Beaumont, W. B.
Bell, I. L.
Bentinck, rt. hon. G. C.
Birkbeck, E.
Birley, H.
Blackburne, Col. J. I.
Blake, T.
Bourke, hon. R.
Bowyer, Sir G.
Bristowe, S. B.
Brogden, A.
Brooks, M.
Brown, A. H.
Bruen, H.
Burghley, Lord
Burt, T.
Cecil, Lord E. H. B. G.
Cole, H. T.
Colthurst, Col. D. la Z.
Cotes, C. C.
Crichton, Viscount
Cross, rt. hon. R. A.
Deedes, W.
Delahunty, J.
Douglas, Sir G.
Earp, T.
Edge, S. R.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Errington, G.
Ewart, W.
Ferguson, R.
Fitzwilliam, hn. W. J.
Forster, rt. hon. W. E.
Forsyth, W.
Foster, W. H.
Fremantle, hon. T. F.
French, hon. C.
Garfit, T.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Gladstone, rt. hon. W. E.
Goldney, G.
Gordon, Sir A.
Gordon, W.
Goschen, rt. hon. G. J.
Gower, hon. E. F. L.
Grant, A.
Hamilton, right hon. Lord G.
Hamilton, hon. R. B.
Hankey, T.
Harcourt, E. W.
Harcourt, Sir W. V.
Hardcastle, E.
Hartington, Marq. of
Havelock, Sir H.
Heath, R.
Henry, M.
Herschell, F.
Hicks, E.
Hill, T. R.
Holker, Sir J.
Holland, Sir H. T.
Holt, J. M.
Home, Captain
Hope, A. J. B. B.
Hutchinson, J. D.
Isaac, S.
James, Sir H.
James, W. H.
Jenkins, D. J.
Johnstone, H.
Kavanagh, A. MacM.
Kennaway, Sir J. H.
Kensington, Lord
Lawson, Sir W.
Leighton, Sir B.
Leighton, S.
Leith, J. F.
Lindsay, Col. R. L.
Lloyd, M.
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, rt. hon. J.
Macartney, J. W. E.
M'Carthy, J.
M'Kenna, Sir J. N.
Makins, Colonel W. T.
Marten, A. G.
Massey, rt. hon. W. N.
Master, T. W. C.
Mellor, T. W.
Merewether, C. G.
Monk, C. J.
Montgomerie, R.
Mowbray, rt. hon. J. R.
Muntz, P. H.
Newport, Viscount
Noel, rt. hon. G. J.
Nolan, Major
Northcote, rt. hon. Sir S. H.
O'Beirne, Major F.
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
O'Donnell, F. H.
O'Gorman, P.
O'Neill, hon. E.
Onslow, D.
O'Sullivan, W. H.
Parker, C. S.
Pell, A.
Percy, Earl
Powell, W.
Raikes, H. C.
Ramsay, J.
Rathbone, W.
Ridley, Sir M. W.
Roberts, J.
Rodwell, B. B. H.
Russell, Lord A.
Salt, T.
Sclater-Booth, right hon. G.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Sidebottom, T. H.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Smith, E.
Smith, rt. hn. W. H.
Smollett, P. B.
Spinks, Serjeant F. L.
Stafford, Marquess of
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Storer, G.
Sullivan, A. M.
Synan, E. J.
Talbot, C. R. M.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hon. Col.
Thynne, Lord H. F.
Wait, W. K.
Walker, O. O.
Wallace, Sir R.
Walter, J.
Watson, rt. hon. W.
Wells, E.
Whitwell, J.
Williams, B. T.
Wilson, I.
Wilson, W.
Wynn, C. W. W.
Yarmouth, Earl of

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Baring, T. C.
Courtney, L. H.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Fitzmaurice, Lord E.
Gregory, G. B.
Hamond, C. F.
Jenkins, E.
Mac Iver, D.
Otway, A. J.
Wilmot, Sir J. E.

TELLERS.

Goldsmid, Sir J.
Morgan, G. O.

Main Question put.

1. *Resolved*, That the office of Attorney General of the Colony of Victoria is an office or place of profit nuder the Crown within the meaning of the Statutes in that behalf.

2. *Resolved,* That Sir Bryan O'Loghlen has since his Election for the County of Clare accepted the said office, and has thereby vacated his seat.

NEW WRIT.

MAJOR NOLAN moved—

> "That a new Writ be ordered to be issued for the election of a Member for the county of Clare in the room of Sir Bryan O'Loghlen, who since his election for that county has accepted the office of Attorney General for the Colony of Victoria."

Motion *agreed to.*

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CHARITY COMMISSION.

RESOLUTION.

MR. W. H. JAMES, in rising, pursuant to Notice, to call attention to the expenses of the Charity Commission, and to move,

> "That the maintenance of the expenses of the Charity Commission should no longer be defrayed out of the Consolidated Fund without some equivalent amount being contributed by the charities under its jurisdiction, and that such means can be alone provided by removing the exemption of these charities from the income tax, or imposing some tax on them corresponding to the Succession Duty, from the operation of which they are also exempt,"

said: This is not a new subject, but one which must, from time to time, continue to engage the attention both of the country and Parliament. The first proposal to place a tax on charities emanated from Lord Lyndhurst in 1845, under Sir Robert Peel's Government, when it was suggested to impose on all endowed charities a tax amounting to 6*d.* in the pound. In 1863, the subject was raised by the right hon. Gentleman the Member for Greenwich, under circumstances not unfamiliar to the House, and when he gave such convincing proof of the words of which, upwards of 50 years ago, Lord Eldon made use, when he said—

> "That all the charities in the county were conducted with gross mismanagement and constant breach of trust."

In 1867, a Resolution, to the effect

> "That the expenses of the Tithe, Copyhold, and Inclosure Commission, Inclosure and Drainage Acts, should not be borne by the public,"

was carried by a majority of 1 in the House by the hon. Member for Chippenham (Mr. Goldney); and, in 1871, the then hon. Member for South Essex (Mr. Andrew Johnston) carried a Resolution to the effect—

> "That discontinuing the exemption of endowed charities from Income Tax is a suitable method of carrying ont the decision of this House against the payment of the expenses of the Charity Commission out of public funds."

Four times in the last 60 years, endowed charities have been the subject of investigation by official inquiries—1st, in 1818; by the Poor Law Commission of 1834; by the Education Commission of 1859; by the Schools Inquiry Commission of 1864, which issued their Report in 1869—and all of which reported these charities as injurious and demoralizing. If charity is looked upon economically, the inevitable conclusion is that, as usually understood, it is distinctly mischievous. There can be no greater proof of this than that amongst those who take the most active interest in Poor Law administration there is a strong feeling, which under recent administration of the Poor Law has had a striking development, that the great State charity —I mean the Poor Law—should be absolutely abolished. At a conference, held at Canterbury, in the autumn, a delegate proposed a resolution to this effect, and considerable sympathy was shown in its favour, though he ultimately consented to withdraw it. That such a feeling should exist is unfortunate, for though the State charity of the Poor Law has been mischievous, certainly far greater evils would ensue were the country without the Poor Law than with it. In a speech made by a former Member of this House—the only speech which, unfortunately, he ever delivered in it, by Mr. Denison, the late Member for Newark, whose experience of the charity of the Poor Law was formed through personal investigation and at great personal sacrifice—he declared that the conclusion he arrived at was that the abolition of the Poor Law would be a great benefit. All tends to prove that charity, in its colloquial sense, may so far be said to be, to some extent, mischievous, as to enforce this conclusion to those who have closely and practically examined the workings of it. It is a principle which you cannot controvert that the existence of any fund for the support of the poor, the appropriation of any revenue, however raised, which must peremptorily be expended in maintaining such as have no other means of subsistence, has, on the whole, a direct tendency to increase the numbers. It discourages industry, foresight, and economy—the great preventives of pauperism, and encourages improvident marriages—the great source of poverty. It is also clear that the increase will always exceed in proportion to what the revenues in question can maintain. It has been so from the earliest periods of history, as witnessed by the historian, Tacitus, who remarks that, without independence, without natural prompting of hope or fear, men degenerate and become burdensome to their neighbours. If these observations apply generally to charity, to almsgiving at haphazard in the street, to that charity which is known as indiscriminate even to a Poor Law administered with great rigour and watchfulness, it applies with far greater force with respect to endowments. To enter broadly into the expediency or inexpediency of endowments is not at the moment my province; but that if they have done good, like other things, they have done harm, is accepted by nearly everybody. There are some who place public endowments very much in the same category with private property, and deem that any deviation or alteration from the original intentions of founders is to be deemed impious sacrilege. There was no Poor Law at the time many of these charities took their origin; and when at last there was a Poor Law, it was a very imperfect and defective organization compared with that which is now administered in Wales and England. It has been pointed out by historians that the early history of these endowments was due to the alarm and apprehension caused by the dispersion of the valiant beggars and sturdy wayfarers who at one time flocked to the doors of the despoiled monasteries. It has been well said that the history of endowments is the social history of England, and every epoch of that history is marked with institutions called for by and indicated by the wants of the times, from the leper-house of the 12th, to the baths and washhouses of the 19th century. These endowments are as much out of place in the existing state of society as the leper-house would be to us in the present day, and the baths and washhouses to the social condition of the 12th century. With this difference, I confess there is greatly wanting now the same spirit of laborious charity to which the churches and the cathedrals of our country bear such living evidence. It is impossible not to think that where endowments were of a purely ecclesiastical origin, that many were given by men distinctly pious, that they wished to administer to the wants of the unfortunate, and that sometimes, by erecting stately buildings, they sincerely desired that a love of genuine and sober labour should present itself, if not to every parish, at least to every county in the land. Charity in those days was connected with something far purer, far higher, far more elevated than the somewhat degrading and contemptible surroundings with which the word is only too frequently associated, suggestive of the sounding brass or tinkling cymbal. If it originally was connected with pious superstitions, in more recent times it is associated with purely utilitarian purposes. In 43 *Elizabeth*, c. 4, 1601, the Statute of Charitable Uses sets out the following purposes as the legitimate objects of charities:—

> "For the relief of aged, impotent, and poor people, for maintenance of sick and maimed soldiers and mariners: schools of learning, free schools, and scholars in universities, for repair of bridges, ports, havens, causeways, churches, sea banks, and highways, for education and preferment of orphans, for a townfolk relief, stock and maintenance for houses of correction, for marriages of poor maids, for support in aid and help of young tradesmen, handicraftsmen, and persons decayed, for relief and redemption of prisoners or captives, and for aid and ease of any poor inhabitants, concerning payment of fifteenths, setting out of soldiers, and other taxes."

That the terms of the Preamble of Elizabeth's Statute should have been so broad and comprehensive shows how different were the conditions of that age to the present. Side by side with endowed, it is impossible not also to consider the marvellous multiplication of institutions of purely spontaneous and voluntary charity. We have lately heard a great deal about local distress. It may be doubted how far the relief of that distress is adequately alleviated by the distribution of coals, blankets, beef, and soup. Those districts which have the largest contributions draw largely from the poorest classes, and are like sponges, which collect the streams in the recesses, and become more widely extended receptacles of misery. We have been told, on high authority, that the poor are always with us; but it is strange that, with all these agencies, rather than a diminution, there is, with the increasing population, an increasing charity, and an almost inexhaustible supply of distress and misery. It is most unfortunate that we should have in this country so many agencies acting towards the same end, but often in ignorance, if not actually in antagonism, to one another. I might quote by scores illustrations of the evils of this sort of indiscriminate charity. I will take, as an instance, the City of Canterbury. Canterbury has an unenviable notoriety in connection with charity. A few years since, Mr. Martin, a Charity Commissioner, made the endowments of Canterbury the subject of a special investigation. There is only one—by name, Lovejoy's—which I propose to comment on. A sum of £250 is distributed yearly amongst 500 persons, subject to the condition that the same person is not to receive it for two consecutive years, and no person in receipt of Poor Law relief is to participate. Out of these 500 persons, in a particular year, Mr. Martin discovered that 145 were improper objects. Of these 145, 4 were brothel keepers, 18 confirmed drunkards, 36 regular, and 18 occasional, paupers, and 51 not needy. I asked a churchwarden in Canterbury—a Conservative churchwarden —a gentleman of somewhat enlightened opinions, but who always supports the Conservatives at Election time—"What do you think of the state of your endowed charities?" He sent me the following memorandum:—

> "The endowed charities of that City are a perfect nuisance to everyone—they are a sort of scramble. Everyone would like to be rid of them; but any proposal to get rid of or to modify them meets with such relentless opposition, and the recipients are so powerful at the time of an election, that it is difficult to hope for any reform."

It is very instructive to examine the comments of the Commissioners of 1834 on this point. At page 361, they say—

> "Closely connected with the relief provided by the Poor Laws is the relief provided by charitable foundations. As to the administration and effect of those charities which are distributed among the classes who are also receivers of the poor rate, much evidence is scattered throughout our Appendix, and it has forced on us the conviction that, as now administered, such charities are often wasted, and often mischievous. In many instances, being distributed on the same principle as the rates of the worse managed parishes, they are only less pernicious than the abuse in the application of the poor rates, because they are visibly limited in amount. In some cases they have a quality of evil peculiar to themselves. The majority of them are distributed among the poor inhabitants of particular parishes or towns. The places intended to be favoured by large charities attract, therefore, an undue proportion of the poorer classes, who, in the hope of trifling benefits to be obtained without labour, often linger on in spots most unfavourable to the exercise of their industry. Poverty is thus not only collected, but created, in the very neighbourhood whence the benevolent founders have manifestly expected to make it disappear.
>
> "These charities, in the districts where they abound, may interfere with the efficacy of the measures we have recommended, and on this ground, though aware that we should not be justified in offering any specific recommendation with respect to them, we beg to suggest that they call for the attention of the Legislature."

Theoretically, I cannot regard endowments as wholly evil. Rightly administered, I see no reason why they should not become a great factor in the progress of humanity. Endowments should hold before us the prospect of a condition of ideal excellence, and stimulate effort for its pursuit—a kind of electric light, which, however distant, every class of the population should behold, and which, though often unconsciously, should always have a beneficial effect on our conduct. I may reasonably approach particular abuses, to show that, however excellent theoretically, endowments, practically, have often produced the worst possible evils. Practically, they are always regarded by the ignorant as a property, or means of relief or enjoyment of a certain money value, to which everyone has a claim, and that value is, in most cases, exaggerated. In the minds of those who expect to participate great expectations are excited, and as suddenly abandoned. Dr. Chalmers, writing 50 years ago, observed—

> "That there must be a mockery in the magnificence of those public charities, which have not, to all appearance, bettered the circumstances or advanced the comforts of the people amongst whom they are instituted beyond those of a people where they are wholly unknown."

He speaks, further, of public charities as an

> "Adhesive nucleus, round which the poor accumulate and settle, misled by vague hopes of benefit from the charities they fail to confer."

And he adds—

> "They cause a relaxation of the relative duties of parents, children, and relations."

I will give a few choice specimens of particular abuses arising from endowed charities. There are two parishes at Fulbourne, in Cambridgeshire, to one of which the bulk of the charities belongs, while the other is less liberally endowed. When cottages fall down in one they are rebuilt in the other, and all new cottages are erected within the confines of St. Vigor's parish—the one which has the greatest claim upon endowed charity. One of these is known as the "Bread and Sixpence Charity." In the course of the year, 6,289 loaves are given away; and Mr. Martin says, with few exceptions, the whole of the labouring population receive. Another Fulbourne charity is a money dole, distributed on a graduated scale according to the number in a family. A single woman gets 3*s.*; but if she has a single illegitimate child, she is excluded from receiving for one year, and subsequently receives 2*s.* 6*d.* But this slight expression of virtuous indignation is compensated for by the fact, that for every child of which she has the misfortune to become the mother she receives an additional 1*s.* Mr. Martin made an arithmetical calculation, that the woman who has three illegitimate children gets 2*s.* 6*d.* for herself, 1*s.* for each of her offspring—total 5*s.* 6*d.* A virtuous girl gets 3*s.*; thus the balance in favour of immorality is 2*s.* 6*d.* In the City of Worcester, a sum of more than £500 is given away in doles of 2*s.* each. On a certain occasion, one of the distributers obtained a number of new florins for the purposes of distribution. On the day after the dispensation of the charity, he sent round to the various public-houses in the City and got his florins back, to be ready for the following year. Mr. Bryce, in his Report to the Schools Inquiry Commission, observed—

> "That he could hardly remember an instance in which anyone who was asked what his experience of their working was, did not answer that they demoralized the recipients, that they were a vexation to those that relieved them, and that they created far more want than they relieved."

Much notoriety exists in connection with charitable endowments in the City of Lichfield. About £1,000 a-year goes in doles. In out-maintenance of the poor, Lichfield contributes nearly £4,000, a sum considerably in excess of that of many of the adjacent Unions; and Mr. Hare, who reported, said that, by the testimony of the most intelligent inhabitants, the charities produce a vast amount of beggary, idleness, lying, and profligacy, destroying the feelings of self-respect and independence, and thus becoming great instruments of demoralization in Lichfield. I will pass to another Cathedral City. Notwithstanding all the charities, the great mass of the poor in Salisbury are in no better condition, either physically or morally, than in other places where the endowed charities, if any such exist, are insignificant in amount. As far as I can ascertain, there are few places in England in which the sum raised by rates for the relief of the poor has been, or is now, higher in proportion than has been the case in Salisbury. The expenditure for the relief of the poor for the last 20 years has fluctuated from £4,400 to £6,400 a-year, or from about 10*s.* to 14*s.* a-head on the whole number of inhabitants, besides the fund for the charities, which would make the sum per head from 3*s.* to 4*s.* higher. With the circumstances connected with Smith's Charity everyone is familiar. If the current opinion as to doles is sound, this is a great offender. Every parish in Surrey is supposed to participate in it. About £5,580 is distributed yearly amongst 23,000 persons, in amounts of 4*s.* 10*d.* each. At Hartlepool, in the County of Durham, £200 a-year goes out yearly in doles, with what advantage may be best judged from a hospital surgeon of the place. He says—

> "It is my opinion that the fund distributed by Smith's Charity Trustees tends only to increase the number of paupers in this neighbourhood, and I believe it is generally here known that the pawnshops receive the great proportion of the articles thus distributed."

There is a well-known case of a will under a man known as "Spiteful Jarvis," so called spiteful, because, for private reasons, he disinherited his daughter and all his family relations, and left £100,000 in 3 per Cents to be bequeathed to three specified Herefordshire parishes—Lelton, Bredwardun, and Stanton-upon-Wye. They might, *primâ facie,* be supposed to have been fortunately situated. One might imagine that for ever ignorance, poverty, disease would be banished from this Arcadia. An Inspector of Charities, who reports on the case, says—

> "No sooner was the charity established than the poor flocked in all directions, and of the most worthless class, even thieves and prostitutes. Illegitimate children very soon increased in number. There was a block of eight small cottages that housed 57 people; most of the cottagers took lodgers. The rent of a small cottage rose from £3 to £5 and £6 annually."

It is true that this charity has been dealt with under Act of Parliament; but, on the authority of Canon Robinson, a Charity Commissioner, I may say there is still urgent need for reform, and the funds continue largely to demoralize the recipients. To anyone who has taken an interest in these subjects, it is pertinent to note the condition of parishes without endowments, as well as with them; and in all cases one is brought to the same conclusion—that their absence has increased physical comforts and well-being, and that the benefits, where they exist, are as often illusory, eating like a canker into the spirit of manliness, thrift, independence, and self-respect. I will quote the case of Etwall. Etwall is a parish having an almshouse for six of the poorest of the parish, who receive weekly £1 8*s*. Careful inquiries were made by the Commissioners, which showed that the chance of being elected into the almshouse had attracted to Etwall a class of persons who liked to live at others' expense. The poor rates were infinitely higher than the average rates of neighbouring populations. Again, there is Tancred's Charity. The avowed object of the founder of this charity was to prevent his property from being divided or disconnected with his name; and, accordingly, though he had five sisters, he left all his property away from them, and turned his house and ground into a residence for 12 decayed gentlemen. The house was to be called Tancred's Hospital, the inmates Tancred's pensioners; while an unfortunate curate had to read prayers and preach a sermon periodically on Tancred's virtues on every anniversary of Tancred's death. The Report of the Commissioners on this almshouse describes the mode of life forced on the pensioners as so wretched and so great a scandal, that they described it as "A hell upon earth." There was a charity once left to found an almshouse at Woodbridge. At the date of the foundation the income was about £110. Now it is £3,600. The almshouse cannot possibly absorb it, and how to dispose of the income has given rise to endless litigation and quarrelling; while the unhappy place itself is said to be greatly demoralized. Cases of this order might be indefinitely multiplied; and hitherto the personal interest or the private caprices of the trustees block and crowd out reformers, who stand up for the cause of the public—the people mainly interested. It has been observed that there is hardly an intelligent person who will not be tempted to say, "Village charities, village curses." I will allude to a curious endowment in Cambridgeshire, where an estate is charged yearly with the duty of growing two acres of white peas for the use and relief of the poor. An Inspector reported that two acres of land, changed from year to year, are annually sown with garden peas, which, when ready, on a day of which notice is given, are picked green by all the inhabitants of the parish. From 200 to 500 people assemble on the land, and pick as fast as they can. Some succeed in carrying off five or six pecks. The value of the crop is supposed to be about £10 an acre, or £20 in the whole. There is no express regulation or control of the picking, and it is said that many who are not amongst the settled inhabitants of the poor of the parish assist there. In reply to the doubtful benefit of such a charity one of the inhabitants stated that—

> "This distribution was a beautiful thing. There is enough," he said, "for everybody. Parsons, doctors, and lawyers get peas when they like; the poor do not. It would be a pity to lose so good a thing. There would be more cry, were the peas taken away, than anything."

Why, if so many charities are mischievous in their effect, should they receive indirect pecuniary subvention from this House? The institution of the Charity Commission was well described as a judicial discovery, and has been of enormous advantage to all who take an interest in the judicious administration of charitable endowments. The Secretary to the Treasury has on more than one occasion given his warmest assurances that the Office should be self-sustaining. In answer to a Question in the autumn, it was stated that it should be supported either by fees from suitors who came to it, or by raising a small tax upon each charity that passed through the Office. Both one and the other of these schemes is quite impossible. In the first place, because the very object of the Office was to make it easy of access to suitors, and as convenient as possible; and, in the next, to fix a proportionate tax upon each charity would, to say the least, be a process extremely difficult, cumbersome, and complicated. Now that we have a declining Revenue and an increasing Expenditure, it appears to me that a moment above all others favourable presents itself, and that a fair proportion of Income Tax should be exacted from these charities, if not for increasing the Public Revenue, at least for sustaining the Office. It should be remembered that there are in the State four distinct sources of charity. You have, first of all, private charity in the ordinary sense. Next, there is all the money contributed by the rates, against which very strong mutterings in certain quarters exist; 3rd, there are the endowed charities; and 4th, funds which proceed from indirect taxation, and which mainly affect the exemptions now under discussion. There is very little hope that the State will do anything really useful on the subject of charitable endowments unless the national conscience is aroused. What is that duty with reference to endowments for the poor? It must not be forgotten that, after all, posthumous charity is a low form of virtue. The charity or love which has its example in the Christian dispensation is that of the living, that of immediate and personal effort and sacrifice, the duty of man to his neighbour. There is no Divine commendation of one who has made a disposition of his property for the good of others, which he can no longer himself enjoy. It is needless to dwell on that consideration, or to seek to discredit posthumous gifts by suggesting enmity, vanity, or any other discreditable motive. Mr. Hare once observed—

> "When we consider what is really involved in recommending that a certain portion of the fruits of the earth shall for ever be distributed in a prescribed way, we cannot but shrink from so proud an act, inconsistent with perfect wisdom and goodness. The founder of a charity asserts an authority which should be obeyed through all time. His will is to have a perfect effect on the condition of mankind; it is to operate from year to year and age to age, like rain and sunshine on the earth."

He assumes an attribute of Divine Providence, and attempts by additional laws to supplement those of Creation and Nature. It is due to one whose expression of will is to be thus clothed with so much authority and sanctity, to suppose that, casting off the restrictions of time, place, and sense, he has become animated with that extensive benevolence which is no respector of persons; which, overlooking the bounds of class, craft, or parish, is ready to say of the ignorant or suffering, wherever found—"The same is my father, sister, and brother." There is the strongest possible ground for special favour to be shown in particular instances, if there is due encouragement given to industry and thrift, and the existence of the institutions can be shown to be a clear benefit to the State. But are they so beneficial? There have been this year the Reports of the proceedings of the Poor Law Conferences held in the autumn, and at many of these the discussions on charitable endowments have formed a topic of much interest. And what has been the consensus of opinion? Why, nothing more or less, by an evidence both of fact and of opinion—which has been quite overwhelming and almost unanimous—that endowed charity has largely contributed to unthrift and pauperism. The maintenance of this Office, which is to confer benefit on the public, and reduce the advantage to a minimum, should thus be obviously self-sustaining. I will take one more illustration from what was stated at the Conference held in London under the Presidency of Lord Hampton. When the member for Leicester was speaking, he computed that there were not more than 7,500 poor people in the City of London, and out of the £100,000 of parochial charity which exists in the City of London there is an income of £33 for each such person. Now go to other cases. I take Charterhouse or Christ's Hospital, of which, as a Governor, I know something. Is it for a moment justifiable that large bodies of this character should be entirely exempt from contributing something towards the Office which largely benefits them; that though benefit may accrue to a number of Governors, or to a certain number of capriciously-selected children, the public should give a large indirect pecuniary subvention to this special institution? The establishment of a large asylum or hospital may frequently be rather injurious to neighbouring owners of property. The benefits of large London hospitals are often very inconsiderable. St. Thomas's is half empty; St. Bartholomew's is kept up by the doctors; and, for a great part, they are limited in practice to those who have the most easy access to them. Instead of a tax on the nation to increase their incomes, it would be more reasonable to apply the same in aid of hospitals in other parts of the Kingdom, or hospitals less richly endowed, whereby the benefits might be more equally distributed. The income raised from this Office is about £2,000,000, Income Tax on which, at the present rate, without exemptions, would amount to £60,000—and I greatly doubt the justice of exemptions. I think there is not the smallest doubt that even were exemptions left out, £30,000 on the charities in this Office might be raised at least, whereby to keep up the whole of its expense. I wish that the House of Commons would pursue in this matter the same course as that commended in the matter of rating by Lord Denman, who extricated the law on this subject from a well of fallacies. Lord Denman observed—

> "How does it concern the ratepayers of St. Philip and St. Paul in what manner any persons manage the property taken and held in the parish? Suppose the Governors of Bristol to have taken 100 acres of land only, and to have brought such of men paupers as were capable of labour from a poorhouse in Bristol, to employ them on the land as a beneficial mode, according to their opinion, of disposing of the poor. Suppose, also, that the return, whatever it might be, was given solely towards the maintenance of the poor who had laboured on the farm, or of those who were unfit to labour, and had been left behind, how can this constitute a better claim to exemption from rateability in the parish where the property lies than a losing occupation, which it is quite certain does not affect the question of liability at all? The same rule applies to every kind of property."—[*Governors of Bristol Poor* v. *Wait*, 5 Adol. and El. Rep. p.9.]

A few years later, when exemption was claimed by reason of the public purpose, the same Judge said—

> "Though the maintenance of the poor be a public purpose, the maintenance of the poor of this particular district is a burden on that district alone; the occupation is not beneficial to the guardians individually, but the most advantageous mode of relieving the poor is an advantage to that body."—[Adol. and El. vol. 10, p. 269.]

Finally, on a still later decision, he classed the authorities for exemption as reconcilable only on the principle that—

> "The public, as such, unlimited by the bounds of county, borough, or parish, had a direct and substantial interest in the benefit the application of the funds produced. To the public, properly so called, it matters not by whom the poor children of this parish are clothed, educated, and apprenticed. That they should receive anything beyond what the parish rate is bound to afford them concerns the public so indirectly that its interest cannot be deemed tangible and substantial enough to be considered in the question at all."

All which decisions have been on appeals sustained. If anyone will take the trouble to turn to the Papers on Charities, 382, 1865, and examine the Correspondence between the Inland Revenue Commissioners and the Treasury which then took place, it is a question how far many of these charities which are applied for parochial purposes are now legally exempt. There is only one thing which the Government are slow in confronting. They recollect the opposition manifested to the late Prime Minister by that celebrated deputation headed by the Duke of Cambridge, the Archbishop of Canterbury, and followed by the indiscriminate crowd of Metropolitan trustees and vestrymen when he made this proposal. If a charity is so super-excellent, let it go to the Treasury and make out its case. No one would wish, for example, that the Patriotic Fund should be taxed; but, under a plea of capricious benevolence, to tax the public for an Office which mainly benefits the endowments, which are often mischievous and demoralizing, is a course obviously unjustifiable, and an abuse for the removal of which the courage, wisdom, and justice of the House of Commons must on no distant occasion prove itself equal.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the maintenance of the expenses of the Charity Commission should no longer be defrayed out of the Consolidated Fund without some equivalent amount being contributed by the charities under its jurisdiction, and that such means can be alone provided by removing the exemption of these charities from the income tax or imposing some tax on them corresponding to the Succession Duty, from the operation of which they are also exempt,"—(*Mr. James*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GOLDNEY said, he had brought a similar Motion before the House some years ago, which was accepted; but little had been done, and the charge for administering charities still remained upon the Consolidated Fund. They were increasing year by year, to the great detriment of the Revenue of the country, Their property in this country yielded about £4,000,000 a-year, and it was increasing rapidly — at the rate of £750,000 during the past 12 years. They were so nursed by the country that they had been exempted from the payment of Income Tax, Succession Duty, and Probate Duty; and they paid no local charges—even postage they were exempted from paying. He contended that charities ought, once at least every 25 years, pay a Succession Duty; and if that were done, they would contribute to the Revenue £600,000 a-year. The Charity Commissioners had, during the last 16 or 18 years, sold charity property which amounted to £4,500,000, and the charity property now existing, if capitalized, would amount to £150,000,000. Now, if charity property paid the present Income Tax at 5*d.* in the pound, it would amount to £8,000 a-year; and they ought to pay it, as all persons had to do, and remissions should only be made in extreme cases. He thought the time had come when a Motion like that of the hon. Member for Gateshead (Mr. James) ought to be fairly considered. The amount of charity property in this country was not only immense, but, as he had said, was steadily increasing; while they themselves were growing at the rate of 160 a-year, and in the course of time would absorb a very large proportion of the Revenues of the country. If the recipients of charity were exempted from Income Tax, there could be no unfairness in making charitable funds pay a periodical Succession Duty in lieu of an annual charge. The details of the question could be easily settled, and there could be no possible excuse for saying that charities ought not to be made to pay a portion of the taxation of the community, and, therefore, he hoped that some measure would be adopted to that end. Before long, the question would have to be dealt with in a much larger sense than that contemplated by the Resolution, which was so moderate that it ought to be accepted. New charitable trusts were created from year to year, and he thought the time had really come when the Consolidated Fund should be relieved from the Vote in respect of them which was taken annually.

Mr. ANDERSON said, that if all the charities were like those illustrated by his hon. Friend the Member for Gateshead (Mr. James) there would be no difficulty in dealing with them, for no one would oppose the Motion; but it was because they had many good charities that their sympathies were strongly affected towards them, and Parliament and the country looked with great suspicion on any proposal to tax charities. He willingly supported the Motion, however, remarking that the time would come soon when they would have to consider how far, not only as regarded charity trusts, but all other Corporations, they should allow the property of the country to be set aside in the hands of Corporations, and thus avoid much of the taxation it would bear if in the hands of individuals. Corporations never died, and their constantly increasing property absorbed so much from the Revenue of the country that it was becoming intolerable. In his opinion, all Corporation property ought to be required to pay Succession and Probate Duty in a given number of years—say, at least once every 19 or 25 years—or whatever might be found to be the average term of ordinary successions.

Sir HENRY SELWIN-IBBETSON said, if all charities were of the kind described by the hon. Member for Gateshead (Mr. James), very few persons in that House would be found to defend their exemption from taxation; but there were very many who were far removed from the least liability to charges such as those of which so much had been said that night. He would remark, also, that this was not a charge on the Consolidated Fund, as supposed by the hon. Gentleman. What was the history of this agitation? He believed they had had debates on the subject ever since the year 1812, the year in which, if he remembered rightly, the attention of Parliament was called to the matter. The Government of that day exempted charities from a 10 per cent Legacy Duty to which they were liable. In 1845 an attempt was made to put an Income Tax of 6*d.* in the pound; but it came to nothing. That was in the time of Sir Robert Peel's Government. In 1853 the Charities

Trusts Act provided for a rate of 2*d.* in the pound on all charities; but it was opposed, he thought, by Lord John Russell, on the ground that the good charities ought not to pay for the bad ones, and the clause was struck out in the Select Committee to which the Bill was referred. The next time when the matter came before the House was in 1863, when the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) proposed a plan very similar to that now advocated by the hon. Member for Gateshead—namely, to put an Income Tax on charities. Whether from the effect of the deputation that had been referred to or not he could not tell; but the proposal was not pressed, and came to nothing. In 1868 the House of Commons really seemed to have taken the matter up seriously, for the hon. Member for Chippenham (Mr. Goldney) then succeeded in carrying a Resolution empowering the Charity Commissioners to meet part of their expenses by charging fees, and the same provision was also extended, at the same time, to the Inclosure Commissioners and the Drainage and Tithe Commissioners. As he had been reminded, the right hon. Gentleman at present at the head of the Local Government Board (Mr. Sclater-Booth) opposed that; but he thought that he also admitted that he would not object to a rate of 2*d.* in the pound. As a result of that Resolution, the Government did apply the system proposed to the Inclosure Commissioners, the result being that about two-thirds of the cost of the Commission were paid by the fees. Power was also taken at the same time to apply that system under the Charitable Trusts Act; but nothing was done afterwards. The question was next raised in 1869, when the right hon. Gentleman the Member for the University of London (Mr. Lowe) opposed the Motion, on the ground that the country objected to charging an Income Tax on charities, and that even if the tax were imposed, enough would not be raised to make it worth the while. In 1871 the late Member for South Essex (Mr. Andrew Johnston) carried a Resolution against the exemption; but it was passed in a very thin House, and nothing was done in consequence of it. In 1872 the right hon. Gentleman the Member for the University of London was again appealed to on the subject; but he declined to alter his previous opinion, although the House was divided on the Vote for the Salary of the First Commissioner as a protest. Ever since that time the Secretary to the Treasury had had to promise each year that he would take the matter into his consideration. The First Lord of the Admiralty (Mr. W. H. Smith), in his day, regularly promised it; and he (Sir Henry Selwin-Ibbetson) himself last year promised the House that he would consider the matter during the Recess, and see if something could not be done. He had, accordingly, in the autumn endeavoured to suggest some method by which, if this charge on the country for the administration of the Charity Commission Office could not be entirely abolished, it might be very much reduced from the sum at which it at present really stood—£21,700. He felt that, although the House had not required the imposition of an Income Tax on the charities, yet that a very large part of the work of the Office was so beneficial to the charities themselves that there was no justification for the work not being paid for. He suggested that a charge should be imposed on all orders for payments of dividend, or for authorizing sales of real estate, or for grants of building or mining leases, or for appointing trustees and establishing schemes for vesting real estate, or for orders authorizing the transfer of Stock and the sale of Stock by official trustees. By means of these fees, they might raise a sum of money which would, to a considerable extent, save the expenses of the Office. His suggestion had been taken up very heartily by his friend, the First Commissioner; and only that morning he had received a scheme from him which would carry out what he had suggested. The amount to be realized was not very large, being between £7,000 and £8,000; but that depended entirely on the amount charged for fees, which might be increased, if it was thought that thereby they would not prevent the charities from availing themselves of the advantages of the offer. The Commissioners recommended that they should be allowed to charge ¼ per cent on the amount; and that if compulsory powers were given, that all investments of charity property should be made in Government Stock, the charge being made upon orders for payments of dividends and re-transfer of Stock. This was calculated to produce annually about £1,400. Then there would be a charge for authorizing sales of real estate, perhaps, one of the strongest cases of all, because this land was usually sold at accommodation prices, and other persons being very anxious to obtain it as outlying land, fabulous prices were often given. From this charge they might fairly expect to raise £1,600 or £1,700 more. For leases on building estates they would easily obtain £1,200; while from the others the remainder would be obtained. Great care would be necessary as to the tax on establishing schemes, for at present there was the option of obtaining a deed of trust or of getting an order from the Commissioners. At present, a very large number of persons went to the Commissioners on account of there being nothing to pay; and therefore it was quite conceivable that if a large fee was charged, the legal advisers of these different charities would advise recourse to the Courts in preference, unless, of course, they were obliged to go to the Commissioners. Another case in which great saving was incurred was where trustees were constantly forced to go before the Commissioners, as in a case of the proof of death, or where the responsibilities incurred were very great. This would produce about another £1,000. Authorizing the transfer of Stock, of which 579 cases came before the Commissioners in 1878, would produce another small sum. There were 177 orders for the sale of Stock in 1878, amounting in all to the sum of £197,000, from which a small sum might also be raised. At all events, the Commissioners had reported that about £7,000 might be raised in this way, without in the least prejudicing the work that they were doing, or of driving away the charities which at present availed themselves of their services. He was aware that this was only a tentative scheme, and he knew that great difficulties surrounded it, and that great pressure had been brought to bear upon Parliament whenever an attempt had been made to deal generally with these charities on the same footing as other bodies. He did not say that a small Income Tax might not be usefully applied; but he did maintain that the country would not be justified in raising any sum from these charities in excess of the cost of the Commission; nor did he think the country would support any attempt to raise Revenue out of these particular funds. On the other hand, he did think that the object of the Government should be to make them, as far as possible, self-supporting, and to prevent the cost of the Office of the Charity Commission from being charged on the public. This plan had not yet been submitted to the Chancellor of the Exchequer, and it was merely the outcome of his attempt to work out a solution of the question; but he believed that it was the commencement of a system which would eventually work out, so as to prevent the work of this Commission being in any way charged on the public funds.

MR. GLADSTONE: Any mitigation, however slight, of the evils of the absurd position—for it is nothing else—in which we now stand in respect to these charges ought to be thankfully accepted. We ought to gratefully receive very small mercies when we cannot obtain large advantages; and, therefore, if the hon. Gentleman the Secretary to the Treasury can work out for us by fees, which will not drive away business from the Charity Commission—for that I take to be an essential part of the usefulness of such a plan—a system such as he proposes—and raise some £6,000 or £7,000 a-year, I apprehend there is no one who sympathizes with my hon. Friend the Mover of this Resolution (Mr. James) who will not, so far, be thankful to him. But I hope that nothing that may be said in this debate, or that may be done in consequence of it, will be understood in the slighest degree as settling the question. It hardly touches it—it nibbles at it, if I may use the expression, and can in no sense of the word be said to dispose of it. The hon. Gentleman has himself most frankly and candidly said that he cannot expect more than £7,000 or £8,000 a-year from his plan, which I take to be about one-third of the charge for the Charity Commission on the public; consequently, even if it were now approved and in operation, two-thirds of this whole burden would still remain upon the public. At this point, I am sorry to say, I must part company with the hon. Gentleman, because, though he regards his plan as only partial, and is quite willing to see it carried forward to such a point that it should overtake the whole charge of the Commission, yet, if I understand him aright, as soon as that is done, he would object to go further, and does not think that charity property should be made the subject of taxation. There is the whole root of the matter. It is improper, it is unjust to the general taxpayer that charity property should not be charged. I am told that many charities are good. But is it not a good object with which the whole of a community engage in labour for the support of their wives and children? Yet, notwithstanding the goodness of the object they have in view, they are rightly called upon to pay the taxes of the State. Why, then, is charitable property, which indicates a much less stringent moral obligation, which is far more subject to abuse, and is, upon the whole, much more likely to be abused, to be maintained at the expense of the community? I do not know that taxation is a burden without compensation. When we tax a subject, and he complains, we tell him that he obtains all the benefits of social order and security in return for the taxes he pays, and our answer is a good answer. But, then, it is a good answer to the charities also. These are the necessary purposes for which human society is formed, and taxes are the necessary conditions by which the laws of human society are maintained. If, therefore, we call upon individuals to maintain this property, which lies in *mortmain*, we, in fact, call upon the living and tax the living for the benefit of the dead. That, Sir, is a very great piece of liberality on the part of the State to allow to the dying man this enormous discretion in the disposal of his property, under circumstances which he cannot possibly measure or foresee. But to say to him also—"I will not only give to your property all the advantages which other property enjoys, but I will exempt your property from the payments which are the necessary price of those advantages—that is say, I will give those advantages to your property at the expense of the property of others, and at the expense of the labour of every labouring man in the country," is to state a doctrine which it is impossible to justify either in theory or in fact. I know very well that what I am arguing against appears to have captivated the mind of the Secretary to the Treasury. I am not finding fault with him, or with the present Government, for having gone thus far to effect that which so many Governments have failed to effect. The hon. Gentleman has recounted to us a most dismal list of failures from the year 1812. With one of those failures I was myself associated, and its history is as follows:—I proposed to lay an Income Tax upon charities. Of course, a considerable number of hon. Gentlemen on the Liberal side of the House were rather lukewarm about these proposals, and a small section on that side of the House was decidedly disposed to object. We found that if we proceeded with our proposition we should have to deal, not only with our own Friends who objected, but with the entire body —I do not say every individual—of the Opposition of 1863. Under those circumstances, it could have produced no practical effect to have gone on, and would have placed all those who approved of our plan in a very unfair position, by asking them to give votes in its favour which could not possibly produce any result. That is the history of my failure. We thought it better not to put our Friends—not our Party Friends, but hon. Gentlemen now sitting opposite—to the invidious effects of the performance of this duty, unless we could expect some result. Pray let it be understood I am making no charge or complaint against anybody; but I am endeavouring to show the irrefragable force of the pressure under which we acted. Nevertheless, we ought to find, in some way or other, the means of causing these properties to pay its part of the penalty which is part of the social law under which all political societies exist. If I might criticize the Motion of my hon. Friend (Mr. James), whose speech I listened to, as I generally do, with very great pleasure, I should say the Motion was rather narrow. I would rather he had laid down in general terms that the charities should be brought under taxation substantially equivalent to that of the rest of the community. As it is, he calls upon me to vote a Resolution which contemplates that either the Succession Duty or the Income Tax should be imposed upon charities. But how is that to be made quite acceptable to those who think it in principle to be quite plain that both the Succession Duty and the Income Tax ought to be imposed? I feel in some difficulty with regard to that matter, although I should be very sorry not to accompany my hon. Friend. But, however, I am sure he would not call upon me to vote with him in settling matters on the basis of that distinction. I hope I have made it clear to the House that what we have before us at present is not merely one abuse calling for reform, but two. The other abuse, and the main abuse, is that the property of charities is not made to pay these taxes, which are the essential condition of maintaining the property at all, and without which no property can exist. That is the gist and the main point. Over and above that folly, which seems to be considerable enough, we go a great deal further, and we give them £21,000 or £29,000, whichever it be, every year out of the public funds, in order to provide gratuitously, or almost gratuitously, for purposes beneficial to the maintenance and development of their property. I do hope something may be done in this matter within a reasonable time. Perhaps some of us will be dead, but others may live to see the change made. I probably shall not. But if none of us do live to see it, let us hope something will be done by our children, our grandchildren, or our great grandchildren, or by some still more remote generation. We are now the great grandchildren of those who first raised this question, and the result of all our labours and inquiries amounts to *nil.* That is the state of the account down to the year 1879. But I still do not abandon hope for the future. As long as there is life there is hope, and to-night a little glimmering, a faint indication, has been afforded us from the other side of the House. Let me just say this, also. It is the fashion of all Governments—it was the fashion of our Government; I have very frequently practised it; and even of the present Government, the First Lord of the Admiralty did it last night—to find great fault with the House of Commons for pressing the augumentation of Public Expenditure. Therefore, the House ought to be encouraged in no grudging way, when it is offering a zealous co-operation to the Government in augmenting the Public Revenue. It is too much the fashion of those who are in Office either to get rid of a question of this kind in some way or other, or to satisfy it on the cheapest possible terms. I cannot congratulate myself, or the House of Commons, or anybody who hears me, on the history of this question in past years; but I do hope that in the future we shall take every opportunity of turning to the best account whatever chance may be afforded us of redeeming ourselves from what I think no inconsiderable reproach, and of putting an end to a state of things which implies great folly, and of establishing equal justice between the several kinds of property which exist under the protection of the law, which enjoy the advantages of that protection, and which ought to pay its necessary price.

The CHANCELLOR of the EXCHEQUER: I cannot help saying a very few words in answer to some of the observations of the right hon. Gentleman, the more, that in the struggle of which he has spoken in 1863, it was my duty to take a prominent part in opposition to his proposition. I have never asserted, nor have I ever felt, that there was any doubt of the propriety of making the property of charities pay, if it could be done, the expenses of the Charity Commission. I think that is a perfectly reasonable and proper proposition; and if a scheme can be framed by which, without driving away the charities from availing themselves of the useful machinery of the Commission, they can be made to bear the expense of it, I think it would be perfectly right and proper. My hon. Friend (Sir Henry Selwin-Ibbetson) has paid great attention to this subject, and I am in hopes that it may be possible to do something in that direction. For my own part, I shall be extremely glad if we find ourselves able to make these charities cover the entire expense of their own management. But otherwise I am afraid I must still remain in a position which must be unsatisfactory to the right hon. Gentleman. I do not feel myself able to accept his view that a tax on the property of all charities is a desirable source of Revenue. My right hon. Friend, in his Budget of 1863, included a proposition to abolish the exemption of charities from Income Tax which had previously existed. That was proposed, if I remember aright, with no special view of paying the expenses of the Charity Commission, but with the special purpose of making that property contribute to the general Revenue of the country. He puts the matter very mildly, when he says there was a great deal of lukewarmness on his own side, while he was bitterly opposed elsewhere, and that, therefore, he did not think it right to press those who were inclined to support him to do so. So far as I remember, this is only a faint indication of the true state of the case. My right hon. Friend brought forward that proposition in a speech of very great power—one of the most eloquent he ever made. If the question had been decided by the manner in which he addressed the House, and the vigour with which his arguments were put, he ought to have received very considerable support. But there was absolutely no response, so far as I can remember, in the course of that evening to any part of his proposition; while the strongest possible opposition was manifested in the country, of which the deputation to which allusion had been made was one of the indications. I remember one of the points which I took at the time in arguing against it was that if small incomes were exempt from the Income Tax, it was hardly reasonable that all charities should be subject to it. I do not think, however, that it is either desirable or necessary that we should revive that controversy, and certainly the Motion of the hon. Gentleman the Member for Gateshead (Mr. James) does not do so. I can quite understand it is one which is not finally closed, and I have no doubt it will be brought up again and again. Many persons, no doubt, think that there is force in the argument of my right hon. Friend. I remain of the same opinion that I was in 1863; and it is a noteworthy fact that, though some 16 years have elapsed since that time, though several successive Governments have been in Office, and though the excitement of that time has quite passed away, yet that no Government has thought it possible to carry through a proposition of that sort. I do not think either that we should undertake, or attempt to undertake, on mere grounds of theory, a course which it is probable, or almost certain, would have to be abandoned. The question at the present moment, however, is the suggestion of the hon. Member for Gateshead. I entirely agree that it is desirable to meet the expenses of the administration of these charities out of the funds of the charities, and with the suggestion that there is no real means of doing so without imposing some tax for that purpose. I do not know how far the plans of my hon. Friend the Secretary to the Treasury may be successful in partly meeting that demand; but I may say that in principle we are quite prepared to go the whole length of, at all events, paying the expenses of the Charity Commission out of the funds of the charities.

Mr. PELL observed, that although the question had not been practically under the notice of the House very frequently, it had occupied the minds of hon. Members and of the public a good deal. He ventured to think that public opinion, although, perhaps, it did not go so far as the hon. Member for Gateshead (Mr. James), and certainly did not go as far as the right hon. Gentleman the Member for Greenwich, yet had changed, and had changed, as he (Mr. Pell) believed, considerably for the better. He regretted to hear the phrase, not that something would be done, but that something must be done, and something "ought" to be done, in the mouth of the Secretary for the Treasury. When he heard that phrase in the mouths of those who had the power to do something, he always felt discouraged. He understood that hon. Gentleman to indicate that charities which were well administered might fairly claim to be exempted from taxation, and he himself was in favour of that. But the proposition of the right hon. Gentleman the Chancellor of the Exchequer was likely to be productive of harm. The propositions already accepted by the House on the subject commenced with that of the hon. Member for Chippenham (Mr. Goldney), who carried a Resolution that the expenses of the Charity Commission ought not to be borne by the public. On the Motion of Mr. Andrew Johnston, who at that time was Member for Essex, the House became more precise; and on April 21, 1871, a Resolution was carried to the effect—

> "That discontinuing the exemption of Endowed Charities from Income Tax was the only method of carrying out the decision of this House against the payment of the expenses of the Charity Commission out of public funds."

Under that Resolution, an Act was passed enabling the Charity Commissioners to impose certain fees for the transaction of business. It was now suggested that that plan should be extended, and they now heard a plan which only this day had been submitted to the Secretary to the Treasury. As to that, he would only say that its first effect would be to prevent the reform of charities. Trustees who were anxious to mend their ways, and come to the Charity Commission for assistance, would be checked to a certain extent by a fear of the fees they would have to pay, while charities which were going on in their old evil ways would have an absolute exemption, which he held to be mischievous and wrong. They had had many proposals, none of which had been put in force; and as many Members desired to see this question dealt with practically, he should venture to move an Amendment. He knew the question was an exceedingly unpopular one, and, therefore, he thought the best way to prepare the public mind for a change, and to insure right and sound views on the subject, such as those of the right hon. Gentleman the Member for Greenwich, was to promulgate information right and left on the subject. Therefore, he should move, if the present Amendment of his hon. Friend the Member for Gateshead to the Motion that Mr. Speaker do now leave the Chair were withdrawn, that the question should be referred to a Select Committee for consideration, and to report by what means, other than by a charge upon the Consolidated Fund, these expenses may be best defrayed.

Mr. W. H. JAMES said, he was quite willing to withdraw his Motion, by the permission of the House, in favour of the Amendment of the hon. Member for South Liecestershire (Mr. Pell).

Amendment, by leave, *withdrawn.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the maintenance of the expenses of the Charity Commission should be referred to a Select Committee for consideration, and to report by what means other than by a charge on the Consolidated Fund these expenses might be best defrayed,"—(*Mr. Pell,*)

—instead thereof.

Question proposed "That the words proposed to be left out stand part of the Question."

Sir HENRY SELWIN-IBBETSON said, although the Government did not object to the withdrawal of the Motion, it was quite a different thing to agree to the appointment of a Select Committee. If he were anxious to do nothing in this matter, he should be very willing to accept the Amendment. If anything were to be done, it must be done speedily, and the appointment of a Committee would probably defer any action of any kind until another year. But this was really a question of administration. It was one for the Government to undertake; and he did not agree with his hon. Friend who moved the Amendment (Mr. Pell) that a Committee could obtain any information which was not now before the Government. All the information the Committee could obtain must be derived from the same gentlemen in the various Departments who had already given the Government all the information in their power. He could not really see how the Committee would do any good, and, in his opinion, the result of it would simply be that nothing would be done at all.

Question put.

The House *divided*:—Ayes 72; Noes 52: Majority 20.—(Div. List, No. 74.)

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MOTIONS.

THAMES RIVER (PREVENTION OF FLOODS) BILL (1877).

Minutes of the Evidence and the Proceedings taken before the Committee on the Thames River (Prevention of Floods) Bill, in Session 1877, referred to the Committee on the Thames River (Prevention of Floods) Bill.—(*Sir Charles Forster.*)

HALL MARKING (GOLD AND SILVER).

Minutes of the Evidence taken before the Select Committee on Silver and Gold Wares in Session 1856, and the Report of the Committee, referred to the Select Committee on Hall Marking (Gold and Silver).—(*Sir Henry Jackson.*)

TURNPIKE ACTS CONTINUANCE ACT, 1878.

Select Committee *appointed,* "to inquire into the Seventh Schedule of the annual Turnpike Acts Continuance Act, 1878:"—Lord George Cavendish, Mr. Wentworth Beaumont, Mr. Beach, Sir Harcourt Johnstone, Mr. Clare Read, Mr. Spencer Stanhope, and Mr. Salt:—Power to send for persons, papers, and records; Three to be the quorum.

Instruction to the Committee that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years or other special arrangements, the Acts of the Trusts mentioned should be continued.

All Petitions relating to the continuance or discontinuance of Turnpike Trusts referred to the Committee.—(*Mr. Salt.*)

LAW OF LIBEL.

Select Committee *appointed*, "to inquire into the Law in relation to Libels in newspapers and journals, and as to the mode of proving the publication of such Libels, and the means of rendering the proprietors and publishers of newspapers and journals responsible civilly and criminally for the Libels contained therein:"—Mr. BATES, Mr. BRISTOWE, Mr. BULWER, Mr. HUTCHINSON, Mr. RODWELL, Mr. COURTNEY, Dr. CAMERON, Mr. GREGORY, Mr. Serjeant SIMON, Lord FRANCIS HERVEY, Mr. ERRINGTON, Mr. FORSYTH, and Mr. ATTORNEY GENERAL:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Attorney General.*)

GAS AND WATER PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of Mr. JOHN G. TALBOT, Bill for confirming certain Provisional Orders made by the Board of Trade under "The Gas and Waterworks Facilities Act, 1870," relating to Cleethorpes Gas, Dorchester Gas, Dronfield Gas, Eckington Gas, Enfield Gas, Havant Gas, Longridge Gas, Northfleet Gas, Wantage Gas, Wellingborough Gas, Dorking Water, Herts and Essex Water, Maidstone Water, Margate Water, Mexbrough and District Water, Oystermouth Water, Rhyl District Water, Saint Albans Water, Shoreham and District Water, Stourbridge Water, Thirk District Water, Aldershot Gas and Water, Ventnor Gas and Water, and Ystrad Gas and Water, *ordered* to be brought in by Mr. JOHN G. TALBOT and Viscount SANDON.

Bill *presented*, and read the first time. [Bill 136.]

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 28*th April*, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Railways and Telegraphs in India * (63).

Second Reading—Elementary Education Provisional Orders Confirmation (Brighton and Preston, &c.) * (48); Elementary Education Provisional Order Confirmation (London) * (47); Local Government (Ireland) Provisional Orders (Clonmel, &c.) * (49); Metropolis (Little Coram Street, Bloomsbury, Wells Street, Poplar, and Great Peter Street, Westminster) Improvement Provisional Orders Confirmation * (50).

Committee—County Courts (12-60-62).

Third Reading—Great Seal * (38); Local Courts of Bankruptcy (Ireland) * (40); Assessed Rates Act Amendment * (55), and *passed.*

LETTERKENNY RAILWAY BILL—RE-COMMITTAL.—OBSERVATIONS.

THE EARL OF REDESDALE said, that the noble Viscount (Viscount Lifford) had a Motion on the Paper, for which no day had been named, for the re-committal of the Letterkenny Railway Bill. It seemed to him that the Motion was one which ought either to be made at once or withdrawn. There was no reason why it should be hung up indefinitely.

VISCOUNT LIFFORD begged the noble Earl the Chairman of Committees to make allowance for the painful position in which he was placed. He had given Notice of the Motion under a painful sense of duty; and he was sure the noble Earl, if he went a little deeper into the matter, would be the first to see the necessity for it. He would fix a day for the Motion to-morrow.

ARMY—RANGE-FINDERS.

OBSERVATIONS.

LORD TRURO said, he desired to point out a singular discrepancy between the statement made by the noble Viscount the Under Secretary of State for War the other evening, and that of General Wray in a letter to *The Times*, in reference to the number of range-finders supplied to the Army. The statement of the noble Viscount at the time was highly satisfactory; but the letter of General Wray made a statement which it was extremely difficult to reconcile with the former—for he said that the number of range-finders actually served out was much smaller than the noble Viscount had represented it to be; in fact, that the number of range-finders served out was only 21. He was sure the noble Viscount would agree with him that it was desirable to maintain the healthy tone of Parliamentary interrogatory and Ministerial reply, and that the Public Service was not likely to benefit by the substitution for the range-finder of the Ministerial long-bow.

VISCOUNT BURY desired to know what the noble Lord meant by the expression "Ministerial long-bow?" If he meant to imply that he (Viscount Bury) had deceived the House on a previous occasion, the words were scarcely Parliamentary.

LORD TRURO said, he meant to convey that the number of range-finders which he understood the noble Viscount to say had been supplied to the Service was much larger than was now stated to be actually the case.

VISCOUNT BURY said, he had only to re-iterate the statement he made the other night; but not having the necessary Papers in hand, he was under some disadvantage in replying to the charge which the noble Lord had brought against him. Perhaps, however, he would be able to quote figures with sufficient accuracy from memory. General Wray, on whose letter to *The Times* the noble Lord relied, was, no doubt, a gentleman of high acquirements and high professional standing; but he was somewhat of an enthusiast. He was formerly Chairman of the Committee on Range-finders, and, like many persons who took up a crotchet, he was extremely enamoured of all the recommendations made by his Committee. One of these recommendations was in favour of the adoption of range-finders in the Army, and this recommendation had been carried out; but some details recommended by the Committee had not commended themselves to the judgment of those responsible for the administration of the Service, and had consequently been rejected. Hence General Wray had thought it right to devote a portion of his time and talents to writing letters to the newspapers on the shortcomings of the War Department, and the one to which the noble Lord had referred was a fair specimen of its class. He (Viscount Bury) stated the other night that range-finders had been supplied in considerable numbers to Her Majesty's troops that each of the regiments in South Africa was in possession of one, and that they had been served out in the proportion of one to each battery to the Artillery. General Wray maintained that only 21 sets of range-finders had been ordered in all. Now, the fact was that 179 sets had been ordered, and there would have been 279 ordered had not Captain Watkin desired 100 of them to be kept back in order that he might introduce into them some slight improvements which he had invented. range-finders had been ordered in considerable numbers, and 179 had been either ordered or served out to the troops. General Wray had evidently omitted from his calculations the Artillery range-finders, and considered only those served out to the Infantry. He could only suppose that that was the way in which the figures had been arrived at.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1878—TRANSIT OF ANIMALS ORDER.—QUESTION.

MOTION FOR A PAPER.

EARL DE LA WARR rose to call attention to the Report of the Veterinary Department of the Privy Council for the past year, especially with reference to the transport of cattle; and to move for a Copy of Orders issued by the Privy Council upon that subject. The question of the transport of cattle by land and sea was one which had been brought before their Lordships more than once, and had been referred to in a Report of a Committee of the House of Commons in 1877. That Committee, among other things, recommended that a searching inquiry should be made into the subject of the transport of cattle between England and Ireland, including their treatment at the ports and on the voyage, and that stringent rules should be made and enforced regulating that traffic. The Privy Council, in consequence, framed and promulgated certain Regulations; but the Report of the Veterinary Department showed that, however good the Regulations might be, they had not produced the desired result. The Reports of the Inspectors bore testimony to the effect that as regarded accommodation on board ship, ventilation, proper landing-stages, and supply of water, the existing arrangements were quite insufficient, and that at the ports where they were landed after the voyage the cattle were subjected to considerable suffering from want of food, water, and fresh air, from overcrowding, and exposure to the weather. It was, therefore, evident that the instructions of the Privy Council were not carried out in the way they intended. Some improvement was also required in the transport of cattle from the United States and Canada to this country. The question was really a very serious one, deserving immediate consideration. The total import from those countries numbered 188,446 animals in 1878. When, as it appeared, 10,677 animals were thrown overboard, 1,210 were landed dead, and 718 had been so much injured that they were obliged to be killed when landed, it was difficult to suppose that the best mode of arranging the accommodation for these cattle could have been adopted, or that proper measures had been taken for their safety. He therefore wished to ask the noble Duke the Lord President of the Council, If he would lay the Rules and Regulations issued by the Privy Council applying to this subject on the Table of their Lordships' House? The subject, he thought, deserved some consideration. If, in these days, no means could be found by which these animals could be transported a distance of about 3,000 miles without losing about 6 per cent of the whole number shipped, it seemed to him they could not have made use of the best appliances which were available in such a case. He was inclined to think that the best remedy for the evil would be to fix, by legislation, the number of cubic feet that should be allowed to each animal, to regulate the proper mode of ventilation, and to make the supply of food and water compulsory. The Act should also impose a somewhat heavy penalty on the owners, managers, or others connected with the vessels which should bring cattle from Ireland and foreign ports with insufficient arrangements. He thought, in fact, that these persons should be licensed and subjected to severe penalties for infringing or neglecting the Regulations. He begged to move that there be laid before the House the Rules and Regulations issued by the Privy Council on this subject.

The Duke of RICHMOND and GORDON: My Lords, to the Motion of my noble Friend, which divides itself into two parts—namely, as to the condition of animals coming from Ireland, and the condition of those coming from the United States, I shall reply in a very few words. With regard to animals coming from Ireland, the noble Earl will see that the Report to which he alluded—that of Captain Tennant—was written previous to the Act of last year. Since that time I have been in constant communication with the Irish Government on the subject, and I have every reason to believe that the arrangements which have been made on both sides of the Channel have been very much improved since the date of that Report. I may also say that the matter inquired into and reported upon by Captain Tennant was also the subject of inquiry and report by an officer acting on behalf of the Irish Government. The noble Earl says he considers that there should be some definition in cubic feet of the space that should be allotted to each animal. Now, I think that upon reflection he will admit that this would be utterly impossible, because to legislate in that way would imply that every animal was of the same size. You could not say that the space which would be sufficient for a Kerry cow would also be sufficient for a short-horn bull. You could not lay down a provision that each of these animals should have a particular space set apart for it in the ship. With regard to the case of the United States, I also, when I read the Report, was struck with the great number of animals thrown overboard during the voyage, or which had not reached this country alive; although I am bound to say that I think the arrangements made by the carrying trade between this country and the United States are of a very excellent character. In any cases in which I considered it my duty to act under the powers which have been given by Act of Parliament, I have called the attention of those persons interested to the provisions of the Act. There was one case in which it was shown, on the arrival of the ship in this country, that the loss had occurred through the absence of ventilation, and I will state what was the answer I got before proceeding with the prosecution which I had intended to institute. I may say, here, that in other cases, not connected with the carrying trade between the United States and this country, I have instituted 14 prosecutions under the provisions of the Orders in Council, and have, in every instance, been successful in obtaining a verdict against the parties. But the answer I received from the parties in the particular case to which I have referred was such that I did not think I should be justified in prosecuting them. It was an answer from the shipowners to a letter addressed to them from the Privy Council, calling their attention to a breach of the Order, and it was this—

> "My attention is called to Article 5 (4) of the Transit of Animals Order, taking effect on 31st December, 1878. It is, however, but proper to state that I had already anticipated its provisions to the utmost within my power, as before the steamer sailed from Boston, on 19th December, 1878, the best procurable American experts in ventilation visited the vessel and ventilated her at the insurance companies' and owners' of the cattle own expense and to their satisfaction; but their calculations were disturbed and the machinery carried away through the frightful and extraordinary weather the steamer encountered in her homeward passage."

It is a fact that, however well you may ventilate a ship, or whatever care you may take—although in fine weather these measures will prove effective—yet it may be found impossible, in the case of a ship suffering from severe and stormy weather, to have the provisions of the Act fully and properly carried out. This is the case even in passenger steamers. There may be cases, therefore, in which it would be unwise and unjust to prosecute persons who, while doing everything they could to carry out those provisions, yet, from some injury to the ship through stress of weather, find it impossible to do so. With regard to the Orders in Council regulating the transit of cattle by sea, they will be found in the Report which my noble Friend has quoted. They are contained in pages 100-103 of the Veterinary Department Report for 1878, which the noble Earl held in his hand, being set out in full in consequence of the 59th section of the Act passed last Session, which required that all Orders of Council made under the Act should be laid on the Table of the House annually. This is the answer I have to give to the noble Earl. There are no other Orders in Council relating to this subject than those he held in his hand.

Motion (by leave of the House) *withdrawn.*

MILITIA.

MOTION FOR A SELECT COMMITTEE.

Lord CAMPBELL, in moving for a Select Committee to inquire into the effects of rendering the Militia available for service in Colonial garrisons, said: My Lords, it would be easy to point out the circumstances from which this Motion has originated. It would be easier to glance at prospects and results which call for deep consideration of our military system from all to whom our foreign policy is interesting—a class which seemed last Session to include the greater number of your Lordships. But it is so important to economize, if not the time, the patience of the House, that it may be better, perhaps, at once to put them in possession of an argument which fully justifies the Motion. A few years back a Committee in the War Office was appointed to inquire into some points connected with the Militia, and particularly the brigade depôt system. It ended in a Blue Book, which, in 1877, was presented to the Houses. The very question on which my Notice bears was referred to by a variety of witnesses. The Secretary of State for War, in examining the late General Peel, recognized its magnitude, and betrayed a certain hesitation with regard to it which was not at all discreditable to his judgment. In the questions he put, he had the air of balancing the rival claims of a Militia raised upon the compulsory principle, not to be sent beyond the United Kingdom, and a Militia raised upon the present footing, liable to serve in garrisons wherever it was wanted. The Report, however, leaves the problem perfectly unsettled. There is no conclusion with regard to it. You have, therefore, the Department seeming to call out through the Secretary of State himself for that further light which Parliamentary inquiry may occasion. It would, perhaps, be useful here to mention two or three Acts of Parliament which tend to obviate the prejudice against anything which even points to a larger use of the Militia than has hitherto existed. The first was passed during the war with the American insurgents, and enabled the Crown to send the Militia to any portion of the Empire. It must, however, have been temporary. The next is that which makes it possible to send the Militia from England to Ireland, or from Ireland to England. Further on, there is the Act for the Militia going upon the Continent, if they propose to do so. I touch on these Acts without mentioning their titles, because, with many others, they have been collected in a well-known work by Mr. Clode, a member of the War Office. They illustrate the march of the development the Force has constantly been going through from the time when it was wholly local in its character, and could not operate beyond the county which the regiment might belong to. As to the terms of the Motion, I have been guided, so far as I was able to recall it, by the precedent of a Committee which this House appointed, in 1860, to inquire into the results of a change at that time projected in the suffrage. You might, of course, devote the inquiry to the effect on recruiting for Militia, or the effect upon the Army, or the effect on the Volunteers; but it is not desirable to limit it with too much technical precision, and thus abridge the valuable evidence which military witnesses may offer. My Lords, these considerations appear to justify the Motion, although they may seem to be minute and trifling in character, if you glance at other topics by which it might be easily supported. Before I glance at them, it is better to place myself under the shelter of some great authorities who, long ago and recently, have questioned the system of our Auxiliary Forces, at least so far as to insist that they may usefully be modified. The first I mention, because the most remote, is Mr. Windham, the brilliant contemporary of Mr. Pitt and Mr. Fox, who rather curiously held the post of Secretary at War under both of those illustrious rivals. He was also a distinguished officer of the Militia in his time, and could not, therefore, have a prejudice against it. The long effort of Mr. Windham, as it has passed to our day in many speeches which he left behind him, was to protest against and mitigate the error, as he deemed it, of neglecting a real Army in order to nurse and foster an approximative substitute. He once remarked that between the Volunteers and the Militia which encompassed it the true element of national defence was literally hidden; that it resembled a young lady whose identity was lost in the sweep of drapery which lengthened or expanded her, referring to a well-known phrase of Ovid.

> "Pars minima est, ipsa puella, sui."

I cite the passage only as a key to the line of thought by which the efforts of Mr. Windham were pervaded. He once remarked to a Government he was opposing, when they had brought the Auxiliary Forces to the number of 400,000—"You have not raised an Army, and you have made it impossible to raise one." Let me remind the House that the system Mr. Windham was perpetually criticizing, although, no doubt, it vanished after the Peace of 1815 during a long interval, in our day is very nearly re-established. To come at once to our contemporaries. Sir John Burgoyne never ceased to point out how little dependence could be placed on Auxiliary Forces when Forces of a longer training had to be encountered. Sir Lintorn Simmons, in some degree the author of short service, did not scruple to arraign the Militia as it stood in 1871, on grounds which have not now been superseded. Colonel Anson, whose well-known publication followed, would have put an end to the Militia on its present footing altogether, and looked on Volunteers—although latterly he served with them himself—as an organized rebuke to the authorities whose inefficient measures rendered them desirable. The latest of these military personages, whose work only appeared in January last, Major Griffiths, although a keen supporter of everything done by the late Government, admits that the Militia have not been brought to any satisfactory position. It is only to avoid unnecessary length that I read no extracts from the different works and pamphlets I have mentioned. They have been most of them so much in the hands of military and political society that a mis-statement of their tendency would be too rash a course for anyone to hazard. What is the conclusion which they point to? They certainly are not directed against the Militia as a body, whose valuable services and qualities do not admit of being contested. The lesson to be drawn from them is that Auxiliary Forces can only be relied on for service in garrisons either within the United Kingdom or beyond it. These military reasoners contend that, without a twelvemonth of continuous drill, you cannot make a soldier, as regards the discipline of mind and not alone the aptitude of movement, which are necessary to that character. In a shorter period, as many noble Lords are well aware from their experience, the recruit may be well fitted for all the wants of the parade, but not for the vicissitudes of fighting and the hardships of campaigning. But none of our Auxiliary Forces are trained, at first, during a twelvemonth. Under the present system, the Militiaman gets, at the outside, three months—one fourth of what is requisite; the Volunteer, when he first joins, has 30 days, and after that his drill is wholly intermittent. These Forces, however meritorious, from a defect they are not able to control, are not sufficiently prepared for actual collision with an enemy. Their inevitable function is to garrison strong places. But to garrison the different posts of the United Kingdom will not, according to a reasonable estimate, require upwards of 200,000, the number which the Volunteers are gradually attaining. The greater part of the Militia are thus available for such a service in the Colonies. But what is the advantage of demanding it? It is that when a difficulty of any sort arises all the Regulars are liberated from strongholds which would otherwise absorb them, and the Executive is not required to denude India, or even to impoverish its force, in order to replace them. But there is another light in which the subject may be viewed, and if we view it in that light, the same conclusion will be vindicated. Some of their commanders may object to the position—well supported as it is—that the Auxiliary Forces have not sufficient discipline at once to join a line of battle. Let me grant they have, or suppose that the deficiencies of men would be corrected by the zeal of those who led them into action. Let me start from the hypothesis that they are ready to encounter an invader, no matter how highly disciplined the Forces he produces. But, at least, there must be an invader to confront. What if the whole range of European probabilities should be incompetent to furnish one? In that event, how can the Auxiliary Forces—except in garrisons—be utilized? Now, such is the exact position of the moment. The Militia in 1852, the Volunteers in 1859, were organized exclusively to secure Great Britain against one Power, which since then has gone through terrible reverses, which, no doubt, has regained considerable strength, but all whose energy is kept in store either for internal difficulties or a struggle on its Frontier. Why did the Duke of Wellington, Sir John Burgoyne, and Lord Palmerston insist on the Militia being revived? Because France appeared to them a formidable neighbour. Why did armed men, in the shape of rifle corps, appear to spring out of the earth, after the Italian campaign? Because, justly or not, ideas and doubts as to French policy, with which the soil of Great Britain was impregnated, produced them. The whole purpose of those two Forces, in the eyes, at least, of those who established one and authorized the other, is exhausted. We may consider it in this way. Had France been in her present situation in 1852, would the revived Militia have been proposed by any Government, or sanctioned by any General Election? Had France been in her present situation in 1859, would any House of Commons have begun an outlay, to arrive at £500,000 annually, on a secondary and supplemental body of Irregulars? No new source of probable invasion has been opened. Germany is occupied with France, as France is occupied with Germany. These two Forces—even if their discipline is such as to prepare them for every military trial—ought not to be a burden on the taxpayer, unless they can be utilized in garrisons. We come, by a new path, to the conclusion that when one of them suffices for garrisons within the United Kingdom the other cannot be sustained, unless available to man the garrisons beyond it. There is, therefore, only one consideration by which this line of argument can possibly be weakened; and it may easily be shown that the consideration is inadequate to meet it. It is sometimes remarked, my Lords, that regiments of Militia are certain to propose themselves for service in the Colonies, whenever danger happens. How can you possibly be certain that all the necessary regiments will propose themselves when none of them are bound by contract, interest, or loyalty to do so? Whether they will or not depends, first on the opinion, and then on the ability of the commander and the leading officers around him. But it is said that during the Crimean War and Indian Mutiny regiments were prepared to leave the country, and that, therefore, they would do so in every contingency. There never was an inference more startling. In those two junctures the public was remarkably excited and remarkably unanimous. But your Lordships have not forgotten the lessons of the Eastern Question long before you have emerged from it. The House has not forgotten that a nation may be violently agitated as to whether Treaties ought to be upheld, or ought to be surrendered, whether war ought to be made against the Power which Europe, a short time back, united to support, or against the Power which Europe, a short time back, united in resisting. When a regiment is asked to do something extra-legal and gratuitous, these questions, fatal to its strength and order, are lighted up in its interior. How can you tell to what impression they may lean as to the policy which makes it requisite by them to garrison Dependencies? But if the system of depending, without law, on the enthusiasm or virtue of a regiment, is satisfactory in the Militia, why should we hesitate to introduce it to the Army and the Navy? Brigades would be still more disposed without necessity to enter a campaign, and Fleets spontaneously to cruize in distant waters which required them. If such a status is utterly anomalous, imperfect, and precarious in one part of the Military Forces, it cannot be adapted to another. The fact is, it would not for a moment be endured, unless an apprehension had occurred that to extend the liability would check recruits for the Militia. But that is the very point on which inquiry is appropriate. It is the point which nothing but inquiry can determine. The evidence of the Committee at the War Office, so far as it has gone, refutes the apprehension. The House is only now invited to complete it. My Lords, if I introduce another topic, it is because neither I, nor anyone on this side of the House, has a majority to back him. Whoever it may be, he must depend on the conviction of the Government. Now, from something which took place before they came to Office, the present Government, it seems to me, are under a peculiar obligation to accede to such a Motion as the present. One of their most distinguished Members, the noble Marquess (the Marquess of Salisbury), now presiding at the Foreign Office, in March, 1871, brought forward the whole subject of international engagements, and the resources for upholding them. What he then urged bears so immediately on what I am contending for, that I might adopt his whole statement as a portion of the case to be submitted to your Lordships. But first, let me remark that the noble Marquess was not alone. He was supported by a former Minister, now, I think, included in the Cabinet. There is no reason to suppose that his opinions are not shared by his present Colleagues. But, so long as they are not repudiated by himself, considering the post he holds, they must exert some influence upon the Government. The noble Marquess dwelt upon our guarantees, which, in the Return he asked for, occupy 100 pages, and are shown to apply to Belgium, Sweden, Portugal, the Sublime Porte, Switzerland, perhaps to other Powers which escape me. But then—and this is the essential matter—he went on to inquire what is our provision for upholding them? For many of them the Navy would not be available; the Auxiliaries are kept at home, and, according to the estimate he formed, 100,000 Regulars contained the only prop of these extensive obligations. The noble Marquess, I am led to think, considerably overestimated the Force that year at our disposal. No matter. The opinion is on record—and it may fairly be considered the opinion of the Government—that 100,000 Regulars were insufficient to maintain the Treaties of Great Britain. Since 1871 our guarantees have not been lessened in their number. But when demands exist in Africa, in India, in European Turkey, perhaps even in Egypt, which at that time were not contemplated, how much less can 100,000 Regulars suffice for all the foreign objects of the country? But who dreams that we have 100,000 Regulars at this moment available for executing guarantees? Unless, therefore, the mature conviction of the noble Marquess and his Friends is now repudiated by the Cabinet, they must admit some change is indispensable. As far as we have learnt, however, they are not increasing but diminishing the Army. What course is open to them, except to pave the way by a legitimate inquiry for a better and more elastic use of the Auxiliary Forces? But if the Government are clearly bound to acquiesce in such a Motion, their Predecessors have not the slightest reason to oppose it. It disturbs no single measure they have patronized; it revives no military feature they were anxious to efface. Neither the linked battalions, nor the depôt centres, nor the sub-districts, nor the short service, nor the new Reserve, nor the officers we owe to Sir Charles Trevelyan and his movement, nor any change which is associated with the noble Viscount near me (Viscount Cardwell), can be disturbed by the inquiry I ask for. If I am able in any manner to interpret them, the late Government are opposed to the existence of a supernumerary Force. But it has been shown to-night that, in the present state of Europe, the Militia is a supernumerary Force, unless Colonial garrisons are able to rely upon it. Noble Lords, whose minds have not been drawn particularly to the question, may very likely feel that although a strong or specious case in favour of the Motion may exist, there must be some objection latent to themselves which greater knowledge would discover. After a good deal of research, and intercourse with many persons, only one is known to me. The Blue Book, in some degree, reveals it. It may be reasoned that to bring back the compulsory basis of the Militia is desirable on a variety of grounds which have been frequently discussed, and to restore that compulsory basis would not be so easy if the Force was bound to go by law out of the Kingdom. The answer is an easy one. As things stand, no Government has any hope of restoring what is called the ballot for Militia. It has been urged in vain by no less a person than the noble Lord the Member for Haddingtonshire (Lord Elcho) in the other House of Parliament. Moments for restoring it have passed away more promising than any we are now entitled to look forward to. Beyond that, the advantage of the ballot has been very much contested. The noble Earl who last presided at the Foreign Office (the Earl of Derby) once delivered a short argument on this point, which has been often quoted and never satisfactorily answered. It is probably familiar to many noble Lords, who may not be so well aware that Mr. Clode, the master of this subject, has pointed out that the ballot is far from recommended by the experience we have of it. His laborious researches have convinced him that it has only operated for six years of our history, and that in that time it did not gain more than the small number of 8,000 conscripts for the Kingdom. But Lord Norreys, an eminent commander of Militia summoned by the War Office, goes so far as to contend that to render the Militia available for Colonial garrisons by law would not be the slightest hindrance to the re-enactment of the ballot. It probably occurs to him that the ballot could not be restored unless invasion was a matter of solicitude; that, if it was, the Militia would rather be drawn from Colonial garrisons than to them; so that the ballot would suspend whatever hardship might reside in the augmented liability. The more conclusive view appears to be that Governments are not entitled to forego a solid gain in order to keep up a visionary prospect. That objection will not, I think, be urged unless it falls from the noble Viscount the Under Secretary of State for the War Office (Viscount Bury). The noble Viscount is a zealous patron of what he terms our "ancient Constitutional" Force—a sort of language which is innocent enough, unless adopted as a pretext for resisting every improvement in it. However, since the Mutiny Act, there has been no ground for this invidious reflection on the Army as if it was not Constitutional. When the Militia was transferred from the Lords Lieutenant to the Crown, it became still more unmeaning and irrelevant. Before, however, the House is swayed by anything which falls from the noble Viscount on the subject, it would be well to call to mind the arithmetic with which he favoured us last Session. According to the noble Viscount, the Militia contained 102,877 efficients. These figures were not sifted. In the absence of the Prime Minister the House was adjourned by a *coup de main*, before the Motion then before it had been withdrawn, negatived, or carried. But in another place the statement did not pass unchallenged. A distinguished person in the military line resolved upon exposing it, and pointed out that when the Militia Reserve who had joined the Army, and the number absent without leave on the day of inspection were deducted, the efficients were only 60,527. Not, however, that I blame the Under Secretary for such a strange miscalculation. He had not sat long in this House; he was new to the Office which he holds, and, above all, to the political connections he has recently adopted. A novice will always be entitled to indulgence; unless, indeed, he so far forgets himself as to assume superiority, and denounce public men as irrepressible—because they well know that when they are acting upon well-founded convictions, and sustained by other minds, even if 50 Under Secretaries were barking or even biting at their heels, the fact ought not to be repressing. The House, fortunately, has a better arbiter than the noble Viscount the Under Secretary on the question now before it, since I observe in his place the illustrious Duke who commands the Forces of Her Majesty. The part he will take to-night is utterly unknown to me. Whatever it may be, I well know that it will justly influence your Lordships. The illustrious Duke is in the habit of addressing this House as a judge, rather than an advocate of either side, on military questions which present themselves. I ask for nothing but his tried impartiality. If, after weighing what is said in opposite directions, his conclusion is that our external Force is altogether what it ought to be, is equal to our guarantees, our interests, our objects, that it is not worth while to gain the certain power of liberating regiments now absorbed in Mediterranean posts for efforts better suited to their discipline and valour, the Committee to which I urge the House can scarcely happen now, and the result at which it aims—however certain in the future—will not be brought about by the initiative of your Lordships. The noble Lord concluded by moving for the Select Committee of which he had given Notice.

Moved, That a Select Committee be appointed to inquire into the effect of rendering the militia available for service in colonial garrisons.—(*The Lord Stratheden and Campbell.*)

Viscount BURY said, he had listened with great attention to the speech of the noble Lord; but he had failed to gather from it that he had any particular plan to propose in substitution for the existing system. He should have thought that the noble Lord, in proposing the appointment of a Select Committee to investigate the principle upon which the Militia had hitherto been organized, would at least have laid before their Lordships some objection to the principle upon which it was at present organized, and under which, upon the whole, it seemed to have worked remarkably well. The noble Lord had travelled over a vast historical expanse, beginning with the American War and with the old Ministers for War, Mr. Windham and Mr. Pitt. He had not, however, quoted any one authority who had suggested such an alteration as the Motion of the noble Lord implied. Neither Pitt nor Windham suggested that the Militia should serve out of the country. The first time that the Militia were employed out of England was in 1812, when, under a special Act of Parliament, a small brigade of Militia was sent out to Portugal; and during the Crimean War a number of Militia regiments went out to Malta and other garrisons. But that was a purely voluntary service; and it was by law obligatory in every commanding officer to explain to every man that he was not bound to go out of the country. The proposal of the noble Lord was that the Militia should be bound by their engagement to do that which they now did perfectly well and most efficiently without any engagement at all. Whenever we had had to call upon the Militia for assistance they had always given their services cheerfully and purely voluntarily. He held in his hand a list giving the names of 39 regiments which had in 1876-7-8 volunteered for embodiment, and that would have been a sufficient number to have met all our requirements. In these circumstances, therefore, what would be the use of unnecessarily imposing upon the hundred and odd Militia regiments which we possessed duties which had hitherto never been imposed upon them, which might prove distasteful to them, and which they voluntarily undertook when the emergency arose? The last time that the noble Lord brought forward this subject he (Viscount Bury) had stated that if the change he advocated were made, the Government would have to dismiss every one of the men in the first instance, and then to re-engage them, and, therefore, to run the risk of having no Militia Force at all. The noble Lord had referred to the different Acts which had been passed dealing with the Militia, and, therefore, he (Viscount Bury) would briefly touch upon the various statutory provisions which had been made in regard to it. Originally, no Militia regiments ever went on foreign service; but in 1802 the Militia Act was passed, by which the Militia Service was re-organized, and on which, up to a very recent period, the Militia Service was based. By that Act it was provided that except in the case of actual invasion the Militia were not to be sent outside the United Kingdom. Various Statutes were subsequently passed, to which he need not particularly allude, which to some degree modified the Militia Service in respect to their liability to serve outside the United Kingdom. Whereas, at first, they were not to be called to serve out of the country in which they were embodied, it was enacted that they were not to go out of that part of the United Kingdom to which they belonged; then it was enacted that they were not to serve out of the United Kingdom generally, unless it was in Ireland; and it was not until 1854 that a special Act was passed—we being then in a state of war—which did away with the obligation that there should be an actual invasion of this country before the Militia could be embodied, and Parliament enacted that the being in a state of war was a sufficient reason for the embodiment of the Militia. The regiments he had referred to were accordingly sent out to garrison some of our stations abroad. The next modification of the rule was made at the time of the Indian Mutiny, when it was thought necessary to pass a special Act of Parliament under which the Indian Mutiny was regarded as a state of war as far as concerned the embodiment of the Militia. That state of things continued until the passing of the Act of 1875, when the provision that the Militia were to serve outside the United Kingdom only in the event of an invasion was for the first time repealed, and an Ordinance was substituted for it that only in the case of grave national emergency, to be declared by Parliament or by the Queen in Council, was the Militia to be called upon to serve out of the United Kingdom. And so the law remained at present. He did not think it necessary to do more than refer briefly to these Statutes, and to point out that Parliament had always been most careful not to depart from the principle upon which the Militia was originally raised. Even the last departure—if departure it might be called—had been made most carefully and only after extreme deliberation. It was true the Militia was a popular Service; but this was so because in the Militia the men knew they would not be called upon to go outside the United Kingdom. It was to a certain degree difficult to obtain recruits for the Army, because men did not know where they might be sent to; but it was easy to fill up the Militia to any number, because it was established by Statute in the most positive manner that the Militiaman should not, except at his own free will and after certain strict formalities, be sent out of the Kingdom. But if a change were made, to enable the Militia to be called upon for service in our Possessions all over the world, the same difficulty would be encountered in recruiting for the Militia as for the Line. He felt sure their Lordships would see no good reason to-night for departing from the old historical basis upon which the Militia had been raised. It would, in this case, be a good principle to leave well alone. For these reasons, he could not but hope their Lordships would refuse to grant the Committee for which the noble Lord had moved.

The Earl of DUNRAVEN desired to support the Motion of the noble Lord for a Select Committee. He thought our Army was far too small for the requirements of the country. The country would carry on its business more satisfactorily and with greater economy if it were larger and better up to military requirements which might be put upon it. It was the worst economy to attempt any undertaking with insufficient means. Our insular position enabled us to do without the gigantic Armies which were sapping the strength of foreign nations; but, at the same time, it entailed upon us certain disadvantages. We had vast Dominions and numerous Colonies and Dependencies scattered all over the globe. These had to be garrisoned by a considerable number of our Regular Forces. We were liable to sudden wars in our Colonies, which might occur at times when we were engaged in more serious undertakings, and when it might be of the greatest importance that the Regular troops locked up in such places as Malta and Gibraltar should be available for immediate service in the field; their place, might be taken perfectly well by the Militia. His noble Friend the Under Secretary of State for War had shown that to send the Militia out in this way would not be contrary to precedent. It would be but a step—though, no doubt, a large step—to extend their field of service from the United Kingdom to the Empire. We had another available Force at home in the Volunteers. England owed much of her former greatness to the excellence of her marksmen, and warfare showed a tendency to return to its primitive methods. As weapons of precision attained to greater excellence, we had to rely more and more on the skill and intelligence of the individual soldiers. Under these circumstances, the Volunteers were an exceedingly valuable part of our national defence, and were quite able to take the place of the Militia, who might be sent out of the country. He did not know whether the proposed change would be popular with the Militia. The noble Viscount's statement that in cases of emergency the Militia always volunteered for service seemed hardly consistent with his argument that the change would give rise to difficulty in recruiting. A Committee would be likely to elicit valuable information upon this point as well as others, and he therefore hoped the inquiry asked for would be granted.

Lord WAVENEY said, that formerly the Militia could only be called upon to serve for 56 days in any one year; and he remembered that at the passing of the Act which abolished this restriction a very large number of men laid down their arms, amounting, in many cases, to 15 or 20 per cent of the whole regiment. It was advisable that the terms of service should be thoroughly understood. He believed that in the agricultural regiments—for which alone he would venture to speak—a large proportion of the best soldiers would not be willing to engage themselves for service beyond the sea, though they might be perfectly willing, under their own officers, to follow the standard of England wherever they might be required. Under the Act which abolished the 56 days' limit powers were given to form Volunteer Artillery battalions; but it was found difficult to fill up their ranks, because the men were taken from their own comrades and officers. It was necessary to consider very carefully the position of the class from which the Militia were drawn before introducing any important changes in the condition of their service. A large proportion of the men were young agricultural labourers, who had not so far gained sufficient experience to enable them to obtain employment all the year round, and it was very important not to deter them from joining. There was all the less reason for the change proposed that a considerable number of the men could always be counted upon in an emergency. When the Indian Mutiny broke out, for instance, many of them desired to extend their service to India; but they declined to enlist in the Regular Army, saying—"We will go with our regiment and our officers, but we will not pass into other ranks."

The Duke of CAMBRIDGE: My Lords, I should gladly support the appointment of any Committee of Inquiry into the organization of our Army that I believed would have any practical effect in helping to promote its efficiency. But I must honestly confess that in the course of this discussion I have not heard a single argument that would justify your Lordships in granting what has now been asked. I may say that I have had some experience in this matter, and my opinion is that where it is possible to avoid a change it is always desirable to do so. Undoubtedly, great changes in our system of service sometimes become necessary, and I am sure your Lordships will give me credit for never having opposed changes when they have clearly become necessary. But change for the mere sake of change is certainly objectionable, and in this case I think a sufficient case has not been made out. To carry out the suggestion of the noble Lord would merely create suspicion in the minds of the men, and that in itself is undesirable. It is really astonishing what an effect small changes sometimes produce. With the object of the Motion—which, as I understand it, is to render our small Army as available for service as possible —I perfectly sympathize; but I cannot approve the means by which it is sought to obtain it. Surely it would be better to obtain what was wanted without any alteration in the constitution of the Militia. On great emergencies—in times of war and crises—we have obtained the object we desired, for we have always been able to count upon a large number of volunteers from our Militia whenever the emergency required them. The object of the Motion is, in fact, attained by the voluntary system, and any such change as that now proposed would probably have an unfortunate, instead of a beneficial, effect, by deterring men from joining the Force in the first instance. We have been told that some of the very best men in the Militia are quite willing to serve at home, but are averse to serving abroad. Were that feeling very prevalent, we might suffer a very serious loss; but I am afraid, if service in the Militia abroad were made compulsory, we should suffer still greater loss. Moreover, I believe, if we were to make service abroad compulsory, we should have to re-construct our entire system of enlistment for the Militia. We should have to re-engage every man now serving in the ranks, for we could not have men serving side by side under wholly different conditions. It would be impossible to enlist new men on the understanding that they were to serve abroad, whilst we should be unable, by the terms of their enlistment, to send abroad the men already in the ranks. The proposal of the noble Lord would, in fact, if carried out, break up the Militia Service altogether. We might, by adopting compulsion, lose the services of 20,000 or 30,000 men, which would not likely be counterbalanced by any advantages to be gained by the new system. We have positive knowledge that any change in the conditions of enlistment produces unfortunate effects, and the very idea that a change was impending might frighten away intending recruits under the present system. Therefore, whilst quite agreeing with the motive which has prompted the noble Lord to bring on this question, I believe his object is not to be gained by the method he proposes. Under the circumstances, I think it would be a mistake to grant the Committee.

Lord DORCHESTER said, the subject was most important, that the efficiency of the Militia was essential; and it was known to the authorities and to inspecting officers that those regiments which were most efficient were those which contributed fewest recruits to the Line, and so *vice versâ.* It would be a misfortune if Militia service abroad were rendered compulsory; but while he regretted to differ from the illustrious Duke, he thought that a full inquiry and discussion on so important a subject could do no harm.

Lord HOUGHTON said, that the time was coming when the question would be seriously put before the country whether we should retain those two Forces in their present anomalous condition. He could not but think it would be a considerable advantage if the Militia could be made available for the Mediterranean garrisons as well as the home garrisons. He well remembered with what satisfaction the regiment to which he had at that time the honour to belong received the order to join the garrison at Gibraltar. Neither did he fear that the transition from the one system to the other would be attended with the injurious effects which some of their Lordships apprehended. All that was asked for was inquiry, and he hoped some such inquiry as that proposed would not be long delayed. Considering the smallness of our Army, and the largeness of the material interests they had to protect, some such inquiry could not but lead to good.

Lord CAMPBELL said, it was necessary to explain in what manner he proposed to act with regard to the Motion. The noble Viscount the Under Secretary of State for War had not delivered a single argument against it. He had harangued on an imaginary Bill to extend the service of the Militia without inquiry, and not upon a Motion to inquire how far it would be safe and possible to do so. The noble Viscount thought it proper to judge in his own sense the very question on which evidence would have to be collected. He asserted dogmatically that men would not recruit, if they had to go by law into Colonial garrisons. But the assertion of Lord Norreys was diametrically opposite; and Lord Norreys was an experienced commander in the Force with which the noble Viscount was wholly unconnected. But if the noble Viscount had not touched the question now before the House, the illustrious Duke had done so. He had betrayed an apprehension that the inquiry, as it proceeded, would disturb the classes who now flowed to the Militia. Whether or not the remark was a convincing one, it made it more difficult for their Lordships to inquire. It was an old maxim that you could not reason with the master of ten legions. He would not ask his noble Friends who had supported him to-night to array themselves against the illustrious Duke in a Division. On that ground, and on no other, he decided to withdraw the Motion.

Motion (by leave of the House) *withdrawn.*

COUNTY COURTS BILL—(Nos. 60-62.)

(*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do now resolve itself into Committee."

On Question, *agreed to;* House in Committee accordingly.

The Report of the Select Committee to which the Bill had been referred (No. 61) having been received on the 24th instant, and the Bill reported with the Amendments (No. 60), was now considered.

The LORD CHANCELLOR moved that the Amendments made by the Select Committee to Clauses 1 to 12 be agreed to.

Amendments *agreed to.*

Then, remaining clauses *agreed to,* with verbal and consequential Amendments.

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed,* as amended. (No. 62.)

RAILWAYS AND TELEGRAPHS IN INDIA BILL [H.L.]

A Bill to enable Guaranteed Railway Companies in India and the Secretary of State for India in Council to enter into agreements with respect to the working of Railways, and with respect to Telegraphs, and to confer upon those companies additional powers with respect to their undertakings — Was *presented* by The Viscount CRANBROOK; read 1ª. (No. 63.)

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 28*th April,* 1879.

MINUTES.]—NEW MEMBER SWORN—William Fletcher, esquire, *for* Cockermouth.

WAYS AND MEANS—*considered in Committee*—The Financial Statement [Adjourned Debate].

PUBLIC BILLS — *Ordered* — *First Reading* — Local Government Provisional Orders (Abergavenny Union, &c.)* [137].

Second Reading — Licensing Acts Amendment (Scotland) [124].

Committee—Prosecution of Offences [68]—R.P.

Third Reading — Land Drainage Provisional Order (Bispham, &c.)* [104], and *passed.*

QUESTIONS.

PUBLIC HEALTH ACT—CASE OF EMILY HULBERT.—QUESTION.

SIR WILLIAM FRASER asked the Vice President of the Privy Council, Whether his attention has been called to the evidence taken at an inquest on the body of Emily Hulbert, who died of glanders, showing that a younger sister died of the same disease, and that fourteen glandered horses had been kept and sold by Bacon, cab proprietor, of Colville Mews, Bayswater; whether it is intended to bring Bacon to justice; and, whether he considers the system of inspection of cab horses, particularly as regards night use, to be effectual?

LORD GEORGE HAMILTON, in reply, said, the attention of the Privy Council had been called to the inquest on Emily Hulbert and her sister, who died of glanders recently, the evidence showing that 14 glandered horses had been kept and sold by Mr. Bacon, a cab proprietor in Bayswater, and they had sent the Chief Inspector of the Veterinary Department to investigate it. Upon his Report and that of the Medical Officer of the Board of Health, the local authorities had decided to prosecute Mr. Bacon for frequent violations of the regulations laid down in the Act of last year. The inspection of cab horses, particularly those used at night, was not within the province of the Privy Council, but within that of the Home Office, and that Office had undertaken to further investigate the matter.

TREATY OF BERLIN—EASTERN ROUMELIA.—QUESTION.

MR. CHAMBERLAIN asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Eastern Roumelian Commission has completed the draft of the Constitution of that Province; and, if so, when the Government will lay the draft upon the Table of the House, with the Papers relating to the proceedings of the Commission?

Mr. BOURKE: I have to state that the Statute upon which the Constitution is to be completed has been signed by the Commissioners, but has not been ratified by the Sultan; and therefore, of course, it has not yet been received. When it has been received it will be made known. As to the Papers relating to these Protocols, they are very voluminous indeed; and I shall probably have to ask the House to receive the Statute before they are presented. That, however, is a question which it will be for the Secretary of State to decide.

Mr. CHAMBERLAIN: Has it been sent to the Sultan?

Mr. BOURKE: Oh, yes; and we have every reason to believe that ratification will take place.

TURKEY—CRETE.—QUESTION.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, Whether the latest accounts received at the Foreign Office from Crete are of the same unfavourable nature as those published in the "Daily News" of the 24th instant, which describe

> "the condition of Crete as almost anarchical in consequence of the great delay on the part of the Porte in giving effect to the Laws passed by the Assembly concerning the internal administration of the Island;"

and, whether it is true that "the Turkish authorities are defied and the Laws utterly disregarded?"

Mr. BOURKE: It is rather difficult to say whether the Reports that have been received exactly coincide with the Reports mentioned by hon. Friend. Certainly the Reports received with regard to Crete are very unsatisfactory; and the Consul General has often said that the great want in the affairs of Crete appears to be the deficiency of police. I am afraid that the chief reason of the want of police by Turkey is the want of money.

THE GERMAN EMPIRE—INSULT TO A BRITISH SUBJECT, MR. W. CAMPBELL.—QUESTION.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, If any inquiry has been made into the complaints of Mr. William Campbell, of insult and outrage by the authorities of Rudolstadt and Weimar in August last, and if he will state the results of the inquiry or lay the papers upon the Table?

Mr. BOURKE: The fullest inquiry has been made by the Foreign Office into this case, and no doubt the hon. Member for Glasgow has heard the result. After the investigation the German Government expressed their regret for what had occurred to Mr. Campbell; and Her Majesty's *Chargé d'Affaires* at Berlin conveyed this expression of regret to him, and suggested that he should accept it. This appears to the Secretary of State as complete satisfaction as could be expected in the circumstances of the case. The hon. Member asks me whether we will lay the Papers on the Table. It is not the usual practice to produce the Papers in cases of this kind; but the Foreign Office have no objection to produce them if they are really wanted. I think the hon. Member will see that there are objections to their production. Perhaps, however, he will confer with me on the subject.

CRIMINAL LAW—CASE OF THOMAS MORAN.—QUESTIONS.

Colonel BERESFORD asked the Secretary of State for the Home Department, If his attention has been drawn to the case of Thomas Moran, which appears in the "Times" of the 24th instant, who having been unable to contribute towards the expense of his children, owing to illness, his wife being in an asylum, was ordered one month's imprisonment with hard labour by the presiding magistrate; and, whether he will take steps to have the case investigated?

Mr. COLE asked the Secretary of State for the Home Department, Whether his attention has been called to a paragraph in the "Daily News" of the 24th instant, headed "A Painful Scene in Court," relative to the case of a labourer named Thomas Moran, heard at the police court at Chester, by which it appeared that Moran was summoned by the relieving officer for neglecting to contribute to the support of his six children, the facts being that the children were admitted to the workhouse in September, Moran agreeing to pay 10*s.* weekly for their support, the mother being in an asylum; that he had paid 14*s.* during the first fortnight, but then met with an accident, necessitating his being taken to the infirmary on a stretcher, and was laid up for ten weeks, and after that, owing to the frost, was out of employ for thirteen weeks; notwithstanding which, the magistrates sentenced him to one month's imprisonment with hard labour, in spite of the remonstrances of the man, who begged the magistrates, for God's sake, to give him a chance to pay the arrears as he was then in work, had never been in prison before, and if they sent him to prison he would lose his work; stating also, that if he was given time he would pay all the arrears; and, if these facts are true; and, if so, whether he does not think it is a case for the remission of the sentence?

Mr. ASSHETON CROSS: In answering this Question, I may also answer the one which has been put on the Paper by my hon. Friend (Colonel Beresford) at the same time. I wish first to state that I think my hon. Friend rather mistook what I stated to him the other day. I did not wish to find the slightest fault with the telegram which he read, but only to express to the House that I thought an inquiry should be made; that an inquiry had been set on foot; and, therefore, that I thought it would be better that the House should leave things alone, in justice to the magistrates, until that inquiry had been made. I have now no hesitation in saying that if the facts in this case actually were as stated in the Question of the hon. Member opposite, I should have ordered the immediate discharge of the man in custody, because I think the magistrates would have been wrong in convicting him under such circumstances. But the case presented in that Question certainly by no means agrees with the facts which were either proved before the magistrates, or have since come to light. This man has the misfortune to have a wife who is insane, and she has been in the lunatic asylum at the public expense for some time. On the 11th of September his six children were taken into the workhouse, and there they remained. Of course, he had to make certain payments. On the 17th of September he had the misfortune to have a varicose vein burst, which rendered it impossible for him to work, and he had to be brought into the infirmary. Before the magistrates he expressly stated that he was laid up in the infirmary for ten weeks. Well, he really went in on the 17th of September, and was discharged as cured on the 2nd of October—a very little more than a fortnight, and he went back to his work immediately after his discharge. Therefore, instead of being unable to work for 10 weeks, he was really absent from work a little more than two weeks. The magistrate, however, notwithstanding the man's statement, sent him to prison for one month, with hard labour. Well, then, as was shown before the magistrates by other evidence, he was undoubtedly an able-bodied man, fit to work, and able to obtain work. Ample testimony of this was given before the magistrates, and it has been corroborated in a remarkable degree by the person for whom he worked, who sent to the magistrates a statutory declaration, which I will shortly read. It is as follows:—

> "Moran has been in my employ for 12 months, and was in employment when he went into the infirmary. On the 17th of September he was taken to the infirmary, where he remained for 15 days. Two days after he came out he commenced to work for me again, and received from me 11*s.* 3*d.* wages due to him. From the 8th to the 15th of October he absented himself from work, but received from me, from the 25th of October till the 18th of April, a period of 24 weeks, £20 10*s.*, and if he had not neglected his work during that period, he would have received as much as his fellow workmen earning the same wages, £1 4*s.* 9*d.* per week, a sum altogether of £30."

Therefore, upon the statement of his master, he was not only not out of work, but he had regular work supplied to him the moment when he came out of the infirmary till the 18th of April at £1 4*s.* 9*d.* per week. He actually received £20 10*s.* In that case, I am bound to say that it presents a different aspect from that which it wore in the public papers. I am bound to say that, as far as the master's statement goes, the Mayor of Chester informs me that he has been to the master's house and verified the master's books. We have the case of a person, who has undoubtedly the misfortune to lose the services of his wife, but he leaves six children in the workhouse at the public expense, whilst he is earning money at the rate I have mentioned during nearly the whole time, and not paying anything towards their maintenance, as he ought to have done. The Board of Guardians seem, at all events, to have been very patient with him in not bringing him before the magistrates earlier. I am bound to say that, in my opinion, the magistrates would have acted more wisely, if, instead of convicting the man in this particular instance, they had adjourned the case the moment they heard the man's statement, in order to make further inquiries. Although it turns out that further inquiry confirms the view that they took, it would have been better for the ends of justice if they had taken this course. I have also to say that other representations have been made to me in favour of further inquiry. I do not think that, on the whole, the ends of justice require that the man should undergo the whole of the imprisonment, and he will be discharged from custody at an earlier period. I should also mention that when before the magistrates he was asked if he had anything to say, and he replied that he had not.

INLAND REVENUE—THE ECCLESIASTICAL COMMISSIONERS.

QUESTION.

Mr. FOLJAMBE asked Mr. Chancellor of the Exchequer, Whether he has considered the fact that the large and increasing amount of landed property held by the Ecclesiastical Commissioners pays no Succession Duty; and, if he will consider whether some composition, in the shape of an annual sum, might not be levied on all land held by corporate bodies?

The CHANCELLOR of the EXCHEQUER: This Question refers to a matter which has frequently been under the notice of the Government. The matter possesses features of great difficulty; and at present I can say no more than that it is one hardly possible of being dealt with in the limits of an answer to a Question.

THE ARMY DISCIPLINE ANNUAL ACT.

QUESTION.

Sir ALEXANDER GORDON asked the Secretary of State for War, Whether he is yet able to lay upon the Table of the House a copy of the proposed Army Discipline Annual Act, by which the proposed permanent Army Discipline Act will be annually brought into operation; and, if not, whether he can do so before the House goes into Committee on the Bill which is to form the permanent Act?

Colonel STANLEY: There will be no difficulty in my undertaking to lay on the Table as a Parliamentary Paper the form of annual Bill which it is proposed to bring in from year to year. For this year a Bill in a somewhat different form must be brought in, providing when the Army Discipline and Regulation Bill is to come into force and when it is to determine. That Bill will be accompanied with a repeal schedule and a variety of clauses; and it is not possible that it can be laid on the Table before the Army Discipline and Regulation Bill goes into Committee, for its clauses must depend upon the form in which the House passes the Discipline Bill.

EGYPT—FINANCIAL CHANGES—DISMISSAL OF MR. RIVERS WILSON.

QUESTIONS.

Sir JULIAN GOLDSMID wished to ask the Chancellor of the Exchequer, with regard to Egypt, Whether it is true that a joint Note has been addressed to the Khedive on the recent affairs of Egypt; if so, whether any information can be given to the House with regard to the contents; and, also, whether it is true that instructions have been sent to Mr. Rivers Wilson to return; and, if so, at what date those instructions were sent?

The CHANCELLOR of the EXCHEQUER: There has been no joint Note addressed to the Khedive on the part of France and England; but both Governments have felt it necessary to express to the Khedive their opinions as to his recent conduct. I do not suppose the letter has yet been received, and, therefore, while communications are going on, the Papers cannot be produced. With regard to the second Question, I, some little time ago—I cannot remember the exact date—telegraphed to Mr. Rivers Wilson that, in the altered circumstances of the case, it was desirable that he should return to his post at the National Debt Office, and I have little doubt that he is now on his way to this country.

The Marquess of HARTINGTON: With reference to the answer just given, I beg to ask the hon. Gentleman the Under Secretary of State for Foreign

Affairs, Whether it is intended shortly to lay any further Papers in reference to Egypt before Parliament? The voluminous Blue Book lately laid on the Table does not come down later than about three months back. Several despatches have informally found their way into the newspapers; and I should like to know whether we may expect shortly to have further despatches placed on the Table, bringing the narrative of events down to a more recent date than the Papers already in our possession?

MR. BOURKE: Oh, yes, Sir; it is decidedly the intention of Her Majesty's Government to lay them on the Table; but I should have thought that the answer just given by the Chancellor of the Exchequer would have shown that, while negotiations are going on, it is impossible to produce the Papers on the subject. If the noble Lord will give me Notice of any specific Question, I shall be happy to answer to-morrow.

TREATY OF BERLIN—EASTERN ROUMELIA AND OCCUPATION OF THE BALKAN PASSES BY TURKEY.

QUESTION.

MR. C. BECKETT-DENISON asked the Under Secretary of State for Foreign Affairs, What arrangements have been come to by the signatory Powers to the Treaty of Berlin for the due execution of the Treaty as regards Eastern Roumelia and the military occupation of the Balkan Passes by Turkish troops?

THE CHANCELLOR OF THE EXCHEQUER: I am afraid I cannot conveniently answer my hon. Friend's Question. Negotiations are still going on between the Powers on the subject, and there is a general and universal agreement to promote the due execution of the Treaty.

CHILI AND PERU—HOSTILITIES—THE CHILIAN FLEET—BOMBARDMENT OF PISAGUA.—QUESTION.

MR. ANDERSON asked the Under Secretary of State for Foreign Affairs, If the Government has received any information as to the bombarding of the defenceless town of Pisagua by the Chilian Fleet; if he will say what British ships are at present in the waters; and, if he has considered the necessity for re-inforcing them for the better protection of British subjects during what may be a long and bitter war?

MR. BOURKE, in reply, said, no intelligence had reached the Foreign Office as to the bombardment of Pisagua by the Chilian Fleet. He was informed by the Admiralty that the ships in those waters were the *Turquoise*, 12 guns, and the *Pelican*, sloop, 6 guns; and that the Admiral had been directed, if necessary, to proceed thither in his flagship the *Triumph*, an armour-plated ship of 14 guns.

IRELAND—ST. PATRICK'S DAY—DISTURBANCES IN LONDONDERRY.

QUESTION.

MR. O'DONNELL asked the Chief Secretary for Ireland, with reference to the late outrage on St. Patrick's Day in Londonderry, Whether the attention of the Government has been called to the fact that, in August 1877, a similar explosive to that flung into and exploded in the ball-room in Derry on last St. Patrick's Day, viz. an iron axle-box charged with powder, was fired in St. Columb's Court in Derry upon the occasion of the Prentice Boys' Celebration, causing thereby alarm to and injury to the property of the inhabitants of said place; whether a similar outrage was repeated there last August; whether another explosive, viz. a jar containing gunpowder and stones, with fuze attached, was attempted to be exploded among the Catholic Processionists upon St. Patrick's Day 1878, near the same neighbourhood of St. Columb's Court; whether the axle-boxes so exploded in St. Columb's Court, Derry, were taken possession of by the police; whether the authorities have any knowledge of who caused this explosion; and, whether they perceive any connection between those outrages and the late outrage, and what steps were taken to punish the offender in any of these cases?

MR. J. LOWTHER: Sir, the facts of this occurrence are, I think, stated with substantial accuracy in the Question of the hon. Gentleman. I am sorry to say that though every effort has been made to detect the offenders, including the offer of a substantial reward, no evidence has yet been obtained which would be likely to lead to the apprehension and conviction of the parties.

POOR LAW—SEPARATION OF OLD MARRIED PAUPERS.—QUESTION.

SIR GEORGE CAMPBELL asked the President of the Local Government Board, If there is truth in the statement of the Vicar of Leeds, contained in a letter in the "Times" of the 23rd instant, that an old man of 86, in the workhouse there, is separated from his wife, they being locked in their respective wards, and only allowed to meet once a week? He also wished to ask, Whether, if that is true, he intends to take any steps to put a stop to such barbarous treatment of paupers? He might mention, though it did not affect the question, that the parties were a *Duc* and *Duchesse*.

MR. SCLATER-BOOTH, in reply, said, that the Poor Law Inspector, in whose district Leeds was included, informed him that the old couple who had been set to live apart in the Leeds Workhouse had not expressed a wish to live together, although the workhouse contained apartments for married inmates. Moreover, as the woman was paralyzed and an inmate of the infirmary, it was not considered desirable to place her with her husband. No allegation of barbarous conduct on the part of the authorities had been reported to him. He would, in due course, communicate to the hon. Member a statement which he expected from the Leeds Board of Guardians.

ORDERS OF THE DAY.

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WAYS AND MEANS — COMMITTEE.

THE NATIONAL EXPENDITURE.

RESOLUTION. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [24th April], "That Mr. Speaker do now leave the Chair" (for Committee of Ways and Means).

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House views with regret the great increase in the National Expenditure,"—(*Mr. Rylands*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed*.

MR. GOSCHEN said, that, representing a constituency which was as much interested as any other constituency in the United Kingdom in the soundness, the straightforwardness, and the courage of its finance, he trusted he might be permitted to say a few words in the discussion of a Budget to which, he regretted to say, in his judgment, not one of those qualities could be attributed. He held, on the contrary, that the Budget was unsound; calculated to mislead public opinion and public feeling; and, above all, wanting in that courage which he should have thought at the present juncture it particularly behoved Her Majesty's Government to manifest, for the sake both of our credit at home and good repute abroad. The Motion of the hon. Member for Burnley, important as it was, ought not entirely to monopolize the attention of the House; for hon. Members had to discuss, not only the Expenditure, but the whole financial policy of the Government. The scale of the Expenditure, "ordinary and extraordinary"—to use the jargon which the Government had introduced into the discussion—was a startling element in that financial policy; but, in his judgment—though he did not know to what extent the House would share in it—it was scarcely less serious to see how the Chancellor of the Exchequer, in providing Ways and Means, had abandoned the sound paths of their old traditional finance. He should be exceedingly brief on this occasion, and he thought it generally detracted from the thoroughness of their debates that too many Members tried to cover the ground under discussion; but he did not accept that which he left unchallenged. He should leave many important questions raised in the debate for others to deal with, and he should address himself to the financial policy of the Government. There were two points only connected with the Expenditure which he wished briefly to touch. They were both raised by the First Lord of the Admiralty. The one was the fallacy produced by the mode in which the right hon. Gentleman presented a comparison based upon the ordinary and extraordinary Expenditure; and the other was the challenge of the First Lord of the Admiralty, addressed to Members sitting on the Opposition side of the House, whether, if they were in Office, they would venture to reduce the armaments by a single man or a single gun. First, as regarded ordinary and extraordinary Expenditure, let him ask the House to understand precisely how this matter rested. There were two kinds of extraordinary Expenditure—he was using the language of the Government, and not that of our old finance—that which was used for a distinct expenditure, and that extra Expenditure which was merely spent in our own Dockyards, increasing the ordinary quantities of supplies, stores, and ships. So much of an extra Vote of Credit as was employed on a real warlike expedition was gone. It was shot away, or it was spent upon transport; at all events, it was gone. But so much of the extra Expenditure as was expended at home in Dockyards, in raising the qualities of ordinary stores, increasing the number of ships, or increasing the work in the Dockyards remained; and the House would see that it ought to tell, and must tell, on the ordinary normal Estimates of the ensuing year. How was this found to act on the present occasion? For two years there had been certainly very extraordinary Expenditure in our Dockyards, on the Army and Navy; and all that the First Lord of the Admiralty could make out of it was this—that, after the Departments had been spending for two years as hard as they could, the Estimates of the present Government, benefiting by that Expenditure, were not very much higher than the Estimates of the previous Government had been before. That established the fallacy of the comparison. There was a fallacy in the Chancellor of the Exchequer's argument, too, which resembled this very much, when he congratulated himself upon having been such an excellent calculator in fixing upon £6,000,000. The right hon. Gentleman said—"We took £6,000,000; we spent £6,150,000; I think you will admit we were not bad calculators." Of course, they spent what they got. They spent it in increasing their stores and supplies. He believed that if they had asked for £7,000,000 instead of £6,000,000, they would have spent that also, and they would then see how the attempt to establish that difference between ordinary and extraordinary Expenditure told. If they had asked for another £1,000,000 and had spent it on more stores, they could have further reduced the Estimates. If, on the other hand, they had asked for only £5,000,000 they would have bought less stores, and the Estimates would thus have been higher now. The fact was, the House had lost power as to the Expenditure of the country through the introduction of this distinction between ordinary and extraordinary Expenditure. The First Lord of the Admiralty asked, with much emphasis, whether, if the Liberals were in Office, they would diminish the armaments by a single man or a single gun? He (Mr. Goschen) would answer that challenge with great frankness for himself. If it were his misfortune to be responsible for the acts of the present Government—if he had an Afghan War on his hands; if he had left a Viceroy in charge who moved a division of the Army half-way on the road to Cabul "on sanitary grounds;" if he had a High Commissioner who dreamed a dream of establishing a second India in Africa, whom he had censured, but not yet removed; and if he had to provide for garrisoning Roumelia in consequence of obligations contracted under the Treaty of Berlin; if, possibly, he had to send men to Cyprus in order to meet his engagements in Asia Minor—no, he certainly should not think of reducing the armaments with which he had to face those engagements. But the First Lord of the Admiralty was not deterred, though he put the question to the Opposition, from reducing the number of Marines by 1,000 men. How did the right hon. Gentleman explain that, after his question about the reduction of the armaments of the country by a single man? It appeared to him that it was only part and parcel of the policy of the Government. While they hunted with the hounds they ran with the hare; and after singing "Rule, Britannia" at Conservative dinners all over the country with might and main, they came down to the House, as the First Lord of the Admiralty did the other night, and professed themselves the devoted and convinced disciples and champions of Peace, Retrenchment, and Reform. He did not see how Government was to reduce the Expenditure if it encouraged all the enterprizes to which he referred. The House was asked by the hon. Member for Burnley, acting in this matter entirely on his own responsibility, to declare "that it views with regret the National Expenditure." He regretted that Expenditure; and he believed there were few on that side of the House who would not support his hon. Friend in expressing that regret. But there were other points in these Resolutions. There was the 3rd Resolution, with which he did not agree, as he did unreservedly with the 1st. It touched the question of the effect taxation must have upon the resources and capabilities of the country. He deplored the effects of the taxation as much as his hon. Friend. He regretted the burdens that were imposed upon the people; but he did not feel clear that it would be wise on the part of the House, in the face of Europe, which was watching how we bore our commercial depression and warlike enterprizes, to put such a Resolution on the Journals of the House. He agreed that the heavy taxation, local and Imperial, was to be deplored in every respect, though it might not actually diminish the strength of the country. He had listened with the greatest interest—as he was sure the House generally did—to the speech of his right hon. Friend the Member for Montrose (Mr. Baxter) with regard to the situation of the country. His right hon. Friend spoke of the gloom of the commercial aspect, of the gloom of the agricultural aspect; and he (Mr. Goschen) did not think that he over-coloured the picture. Public economy and private economy seemed to be demanded by such a state of things. But when they looked at the fall in wages, at the commercial disasters, and at the agricultural distress, he thought it would not be wise to blind their eyes to some few favourable circumstances on the other side. Food was cheaper almost than it had been at any other time. Food was pouring in in immense quantities from abroad. Wheat was very low, meat had fallen in price, bacon, an article of great importance, was very low; the prices of tea, sugar, and coffee were almost as low as they had ever been. There were circumstances which might mitigate, to some extent, the suffering which was caused by commercial depression; and he did not think it would be wise either to leave entirely out of sight the satisfactory point that 1*d.* in the pound Income Tax still continued, notwithstanding the stagnation of trade and the prevailing distress, to realize the enormous sum of nearly £1,800,000. He thought it was his duty to allude to these circumstances, because he did not think it would be entirely wise to have it go forth that the House of Commons was too down-hearted at the present state of affairs. He would turn to the Budget of the right hon. Gentleman—to his financial policy. Fortunately, it could be described in a very few words. It simply postponed the excess of Expenditure and liabilities over income to a future day; it renewed bills; it prolonged liability. The right hon. Gentleman told the House that he had put those liabilities—not entirely out of sight, because that would be unheroic, mischievous, and enervating—but so far out of sight that they need not look at them unless they liked. The right hon. Gentleman said he had adopted, a *viâ media* with regard to these liabilities. When the House wanted a tonic, it could look at them; but it would be too enervating to put them entirely out of sight. That course, however, when looked at gravely, would not, he (Mr. Goschen) thought, ultimately commend itself to the favour of the country. It might be an unpopular thing to say; but it was better, for the cause of economy and for the good of the country, that we should pay off our burdens by taxation than stave off the payment to a future day. Let them remember this—they were not asked to impose any taxes at present. They were asked to postpone the whole of these liabilities—in other words, the country was not asked to associate itself with the action of the Government at all. Now, there was no better test of how a policy was approved by the country than when the policy had got to be paid for. Cheerfulness on the part of the country to make the necessary sacrifice would be a proof of patriotism most valuable to Her Majesty's Government, and to have imposed taxation would have shown what confidence they had in the resources of the country. But the Government had shrunk from that test. He did not think that was a fortunate circumstance in the present state of European affairs. He thought it was of great importance that in these matters they should remember the attitude of other countries, and that other countries were watching us to see how far we carried out a strong, sound, financial policy, when we were put to it and when we were really pressed. The great Military Empires of Europe were watching us; and would it not be curious to see the effect upon them when they found that the money bags which our Plenipotentiaries sat upon at Berlin—he supposed to give majesty and power to their *pose*—were only stuffed with Exchequer Bonds, which some future Parliament, perhaps some future Government, was to provide for, Heaven knew how? Let them look at the example of America, which had a Debt of £150,000,000; and again at the example of France, staggering under a Debt of £200,000,000! With what fortitude they bore the burdens necessary to re-establish their financial position! Our subjects in India were watching to see how, when a strain was upon us, we bore ourselves. He considered it a serious charge against Her Majesty's Government that at such a critical time as this, when to display real strength was so important, they had shown not financial courage, but financial hesitation. Theirs was an exhibition of an apparently strong policy carried out by weak men. He did not mean men intellectually weak, but wanting in the nerve and courage to face unpopularity. They had shown a want of confidence in the willingness of the country to bear the burdens which were the result of the policy of the Government. He frankly stated that he should not be afraid to face any constituency in the United Kingdom, and say to them—"Rightly or wrongly, we have heavy enterprizes on our hands; we are engaged in serious work—not work beyond our strength, but work which requires some sacrifice; subject-races, friends and enemies are watching to see how we bear ourselves; at such a time will you let the foreigner sneer, and say that England is unwilling to pay in cash even for the first instalments of her new responsibilities? Are you unwilling to follow the bolder course and to pay your way? I know the state of commercial gloom—I know what pinching there is in many households—but I still believe you are willing to bear your share of the burdens, and to uphold the old English principle, and say—'Do not let us be financial cowards, but let us pay our way like men.'" He believed that the soundest and most courageous finance was not necessarily unpopular; and he brushed aside any contemptible suggestion that they would like to see the burdens of the country increased in order to increase the unpopularity of the Government—that was not the spirit in which he made those observations. But the Chancellor of the Exchequer said it was not a question of popularity or unpopularity, but that it was a new principle. It was a great principle which the Chancellor of the Exchequer had invented, and which was this—if they had an accidental surplus, do not give it away; and if they had an accidental deficit, do not provide for it. He (Mr. Goschen) was inquisitive to know the date when the right hon. Gentleman invented that principle? He had read with great interest the right hon. Gentleman's *Twenty Years of Financial Policy*, but it was not there; and he suspected they would find it for the first time in the "Six Years of Conservative Finance" which the right hon. Gentleman was now writing in thick and heavy lines on the pages of history. Let them look for an accidental surplus and see how the right hon. Gentleman had applied the first part of the doctrine; but the insuperable difficulty was that there never was an accidental surplus, or any other kind of surplus, during a Conservative Administration. But there was a very accidental surplus so far as they were concerned. The right hon. Gentleman had an accidental surplus when the Government came into Office in 1874, and, instead of applying his new doctrine to it then, he gave the whole of it away with a light hand. It could not be doubted, then, that the date of the invention was later than 1874. Well, what had happened since? The Income Tax had been increased from 2*d.* to 3*d.* and from 3*d.* to 5*d.* in the pound; while last year the Chancellor of the Exchequer had actually summoned up the courage to raise indirect taxation to the extent of £500,000 from a duty on tobacco. The effort, however, seemed to have exhausted the right hon. Gentleman, for this year he ventured to impose only a small tax on cocoa paste and on cigars. But if the courage of the right hon. Gentleman was small, his imagination was lively, and he had introduced to the notice of the country the new principle—"If you have an accidental surplus, do not give it away"—that was for the Liberals—"but if you have an accidental deficit, do not provide for it"—that was for the Conservatives. He had alluded to the effects of such a policy upon our relations abroad, and he should have liked to say something with reference to its consequences in connection with our position at home. He would, however, leave it to others to examine the effect of the new doctrine as it related to the cause of economy. Was there not, he would ask, infinitely less chance of our pursuing the path of economy, if we knew that all we had to do was to postpone our payments to a future time? The cause of economy was unpopular enough at all times. Even when increased Expenditure meant increased taxation, it was difficult enough for its advocates to make way; but when increased Expenditure did not mean increased taxation, but only the accumulation of burdens in the future, where, he should like to know, would be the cause of economy? The imposition of taxation was a real and ready way in which the people associated themselves with the action of the Government. The payment of taxes acted as a sobering force on our national policy. It sobered those who had to impose the taxes and those who had to bear them. Sound finance was one of the best safeguards of their popular Constitution, while loose finance was one of its greatest dangers. The new Constitutional levies had not yet been under fire. Had the Government misgivings that they would not stand? It was very significant. The Leader of the House had stated that the extra Expenditure amounted to about £8,000,000, and nearly the whole of that amount was provided for by an Income Tax after its incidence had been lightened by exemptions; while the contribution to the support of the policy of the Government by means of indirect taxation was £500,000 raised from tobacco. That he did not call Conservative statesmanship, or, indeed, statesmanship of any kind worthy of the name. It was merely a hand-to-mouth policy. It had been said the other day that the heavy cloud of the coming Dissolution seemed to hang over the discussion of that House last Thursday night, and it appeared to him that the same cloud had hung over the Budget. He had stated it to be his belief that the people, if approached with boldness and frankness, would not have disapproved a courageous policy. The Government might, however, have thought the time just before a Dissolution was a peculiarly unhappy moment for imposing new taxes or restoring old ones. The sooner this state of things came to an end the better for the country. These were days when the gaze of those who governed ought to be fixed with peculiar intentness on the work before them. They had heavy rowing, the water was rough, and the breeze was strong, and he did not think it would improve their stroke if they were to look too intently on the electioneering figures on the bank. He thanked the House for the patience with which it had listened to him. He was anxious to protest against the Budget. It appeared to him to be shabby, flabby, inadequate to the occasion, and to be wanting in that courage which was calculated to secure repute abroad and credit at home. To use the witty expression of his hon. and learned Friend the Member for Oxford (Sir William Harcourt), "Peace with honour on tick" was not a lofty attitude for Englishmen to assume. If it were true that the present Government had inaugurated a new reign—a new era of bold foreign policy, let it be hoped that they would not, at the same time, inaugurate a new era of cowardly finance. If every Prime Minister henceforward was to be called upon to play the trumpet, let the instrument be cast in the true metal and have the true ring. Courage at home was as sure a path to the hearts of the English people as a menace abroad; and those would best deserve the confidence of the people who told them to their face that seldom in their history had it more behoved them to say what they meant, to act up to what they said, and to pay for their acts.

Sir HENRY SELWIN-IBBETSON said, he was not at all surprised that the right hon. Gentleman should have told the House that the hon. Member for Burnley, in bringing forward his Resolution, acted entirely on his own responsibility. Occupying the position he did, however, he must touch lightly upon that Resolution, which, notwithstanding what had fallen from the right hon. Gentleman, was a direct attack on the administration by the present Government of the financial affairs of the country. Whatever might have been the good fortune of Liberal Administrations as to their Revenue, and however much the present Government might have had to contend with untoward circumstances, he did not believe that the latter ought to be more reprobated than their Predecessors for the state of the harvests and the seasons. Now, there were two tests of financial policy —the lightness of the burdens imposed upon the people in the shape of taxation, and the wise expenditure of the proceeds of taxation in accordance with the exigencies of the State. They had had several comparisons as to the Expenditure of Liberal and Conservative Governments. They had the comparison taken by his right hon. Friend the First Lord of the Admiralty between the years 1874-5 and the present year. They had another comparison by the right hon. Gentleman the Member for Chester (Mr. Dodson), who drew a comparison between the year 1872-3 and the present year, and had chosen, very wisely, one of the best financial years of the Liberal Government; but, for his own part, he preferred making the comparison—and he thought it was the fairest course to adopt—between the five years during which the Liberal Government had been in Office, dating from 1869-70 to 1874, and the five years during which the existing Government had been responsible for the conduct of affairs. The five years of Liberal Administration, he found, gave an average income of £74,806,442, and an average Expenditure of £71,416,853; while the average income for the five years from 1874 down to the present time was £78,699,574, the average Expenditure being £79,377,264. In that comparison of Expenditure he had included the Expenditure for the Alabama Claims in the last year of the Liberal Government, and in the last two years of the Conservative Government he had included the charges to which we were put on account of the Russia-Turkish War; but the incomes comprised contributions which might be more properly assigned to the Miscellaneous Revenue, from India and the Colonies, from the sale of Stores, the Revenue of Crown Lands, the Post Office profits, and a variety of other contributions which were not derived from taxation; so that, in short, there was a considerable amount of such Miscellaneous Revenue, varying from £9,000,000 to £13,000,000 a-year. He thought it would be fairer, for the sake of comparison, to ignore, as far as possible, that Miscellaneous Revenue, and to take only the figures representing the sums derived from taxation, confining the income to the proceeds of the Customs, Excise, Stamps, Land Tax, House Duty, and Property Tax. That calculation, he might remind the House, was founded on an idea supplied by his right hon. Friend the Member for Pontefract (Mr. Childers) in a valuable Return for which he had moved. It appeared that the average proceeds of the taxation of the country during the five years in which the Liberal Government was in Office amounted to £64,498,000, and their average Expenditure was £61,109,400; while the five years of Conservative Administration showed an average of the proceeds of taxation of £65,679,800, and an average Expenditure of £65,371,000; or, taking into account the extraordinary Expenditure of £4,932,000, an average of £66,357,500. That was to say, the Liberal Government during their five years in Office had raised an average sum of £64,498,000 out of the taxation of the country, and the Conservative Government an average of £65,679,800, leaving out the extraordinary Expenditure, or, including that Expenditure, of £66,357,500 — a direct increase of £1,181,800 in the one case, or £1,859,500 in the other. But during the whole of the 10 years of his comparison the country was not standing still; there was a growth—a continued growth—of population; and, consequently, there were more and more people to consume those articles which produced a Revenue through the Excise, and, in the same way, more direct taxpayers in the country. During the five years of Liberal Government the average population was 31,500,000; but during the time the present Government had been in Office the average population was estimated at 33,000,000 odd, and thus they arrived at this conclusion—that the average taxation per head during the Liberal Government was £2 0*s.* 11*d.* per year; during the Conservative Administration it only amounted to £1 19*s.* 10*d.* per head, or if they put it at its worst, and included everything, to £2 0*s.* 2½*d.* per head only. Even during this year the average per head would only reach

£2 0*s.* 6*d.*, or less than the average of the Liberal Government. That was sufficient to show that there was not such a great difference between the two periods, and that whatever difference there was, was not averse to the Conservative Government, and it brought him to the second part of the subject, which was the method of levying taxation. He considered that the Conservative Government had levied their taxation by less oppressive machinery than their Predecessors had done. Every tax, with the exception of the 4*d.* on tobacco that was paid now, was paid while the Liberals were in Office, and the Conservatives had taken off the remainder of the sugar duties—averaging 6*s.* 9*d.* per cwt—the 10*s.* 6*d.* tax on horses, and the £12 10*s.* on horse-dealers' licences; while the brewers' licences paid 12*s.* 6*d.* per 50 barrels instead of 15*s.* These were small matters. He would take a more considerable point of comparison. During the tenure of Office of the Liberals, the Income Tax stood, on an average, at 4$\frac{2}{5}$*d.*; the average for the five years that followed their Administration was not more than 3*d.*, while abatement had been made by which the incomes of £400 and under £120 was deducted as exempt from the tax, instead of the former deduction of £80 from incomes under £300. He therefore contended that while the Conservatives had been in Office they had raised less taxation per head of the population, and by a less oppressive means, than was raised during the Liberal Government. He would pass to the second point which he wished the House to consider—namely, the manner in which the money had been spent by Liberals and Conservatives respectively. The average Revenue of the Liberals was £64,498,800, of which £26,689,115 was spent on the management and interest of the Debt, £23,226,680 on the Naval and Military charges, £5,779,251 on Civil Government charges, £1,540,910 on Education, £2,422,676 on the relief of Local Rates, and the remainder on smaller items. The chief feature of the Expenditure of the Liberal Government was the amount devoted to the reduction of the Debt. Now, what was the way in which the Conservatives spent their yearly average of £65,679,800? When they came into Office they found themselves in a position to consider the claims of those who were interested in the subject of local taxation, amongst whom might be found many hon. Members who now sat upon the Opposition Bench. The result was that the Government gave away large grants for pauper lunatics, for the police, for the rating of Government property, and for prisons; and he believed it would be found that the Conservative Government had spent something like £2,000,000 a-year more than the Liberals did upon these particular items. He would remind the House that grants of that kind involved no increase of Public Expenditure, but were only a transfer of the charge from one shoulder to the other; and that by so spending the proceeds of taxation, instead of redeeming Debt, the money was allowed to fructify in the pockets of the ratepayers. The question, however, that might fairly be asked was whether or not the results were good, and whether the money was well spent in the relief of the ratepayers? He had been at some pains to ascertain the fact, and found that in many ways the local rates had been very considerably reduced. For instance, the Metropolitan Police Rate had fallen from 6$\frac{3}{4}$*d.* in 1874 to its present amount of 5*d.* The County Police Rate throughout England had fallen from 2$\frac{3}{8}$*d.* to 1$\frac{6}{8}$*d.* It was more difficult with regard to the Poor Rate to reach the exact facts; but between 1874 and 1878 there was a decrease in the Poor Rate of £403,000. They, had however, to consider, not only what had been the reduction of the rates, but what the ratepayers would have had to pay to meet the increased reqirements of the public if there had been no Government grant. The county ratepayers had by the increased charges on the Government gained £597,000, and the Metropolitan ratepayers £173,000. On the average, he thought it would be found that the English ratepayers had been saved £1,443,000, which spread over the country would amount to 2$\frac{3}{4}$*d.* in the pound. It was difficult to speak of the extent to which the local rates had been saved by the transfer of the prisons from the hands of the local authorities to the Crown, inasmuch as it had not yet found its way into the Accounts; but it could, he thought, be shown that, in certain instances, considerable relief had been afforded. He had had a letter from the magistrates of the West Riding, in which they stated that the transfer of the prisons to the State had saved the county rate £21,000. In West Suffolk, it was stated, at the October Quarter Sessions, that the effect of the Prisons Act had been to reduce the county rate to the lowest point known — 1 1-18*d.* In the West Riding, too, the number of people sent to the prison there had fallen from 1,500 in February, 1878, to 800 in February, 1879. Upon whom did this charge now imposed upon the State fall? It did not fall upon the poor, because he had shown that relief had been afforded in the matter of indirect taxation; while, with regard to the Income Tax, relief had been given during the Conservative reign in the direction of the smaller incomes to a considerable amount. Although this burden had been transferred from the rates to the Imperial taxpayer, yet it had, practically, been thrown principally upon those who were best capable of bearing it. Then, again, the Conservatives had spent a very much larger sum in all their five years of Office upon education than the Liberals had, the sum amounting in the average to £1,300,000 in excess per annum. Then, with regard to the Army, the Conservatives found it certainly not so efficient as the country desired. They also found schemes which were set on foot by their Predecessors, for the abolition of Purchase, and the creation of a Reserve, which involved additional Expenditure; and it was not until 1874 that the addition of 1½*d.* to the pay of the soldiers came really into operation. With regard to the Navy, the Conservatives claimed to have had ships built and stores supplied at a largely increased Expenditure arising from the machinery, which now formed such a prominent part in everything that was done, and also in the wages of the artificers and men employed. And, lastly, the Conservatives had had to expend a sum of £6,500,000 for putting the country in a state of defence during the war between Russia and Turkey. When they came to what, after all, constituted the difference in the way in which the Conservatives spent their £65,679,800 as compared with the table he had mentioned before, they would see that the interest and management of the Debt amounted to £26,517,295, against £26,689,115, or a diminution of £171,820; Army and Navy charges, £25,749,977, as against £23,226,680, an increase of £2,523,299; Civil charges, £5,737,857, as against £5,779,251, a diminution of £41,394; Education, £2,726,491, as against £1,540,910, an increase of £1,185,581; relief of local rates, £4,055,900, as against £2,422,679, an increase of £1,633,224; net charges of Revenue Department, £122,750, as against £811,367, a decrease of £688,617; and in respect of the *Alabama* a diminution of £639,375. Surplus applied to the reduction of Debt, £308,802, as against £3,389,426, a decrease of £3,080,624; and for new Sinking Fund, an increase of £460,726, or a total Conservative Expenditure of £65,679,800, as against £64,498,800, or a net increase of Expenditure out of the proceeds of taxation of £1,181,000, being an amount of expenditure less in proportion to the increase of the population and accompanied by less pressure on the taxpayer. They had, too, kept down the ordinary expenses of Civil government to the usual cost in spite of the rise of prices and the growth of the Departments. They had given back revenue to the local taxpayers, and had strengthened the Naval and Military Services of the country. Now, if they referred to Table 3 of the Return of the right hon. Gentleman the Member for Pontefract, separating grants in aid of local taxation and education, it would be seen how small was the growth of Imperial Civil charges. They comprised the cost of the Civil List, salaries and pensions of officials of State, cost of public buildings, salaries and superannuations in the Public Departments, administration of Justice, Diplomatic and Consular Services, and other items; and yet the economy practised by Conservatives and Liberals alike had prevented an increase in the net Expenditure from decade to decade; for in 1879 they had a lesser Expenditure than in the year after the Crimea for Imperial Civil charges, and there was a reduction of £22,000 in 1879-80 as compared with 1875-6. He had no doubt it would be pointed out that the Conservatives had spent in 1878-9 £4,932,000, raised by Exchequer Bonds—and that was true; but it should be remembered that in those years the Russo-Turkish War cost £6,124,969, the Transkei and

Transvaal £529,000, the Zulu War £1,559,000, and the Abyssinian War, in 1867-8, £17,865—in all, £8,293,834, of which extra Expenditure £3,361,834 would be met out of income, and £4,932,000 by the issue of Exchequer Bonds to be redeemed in two or three years. And, surely, that fact might well be defended, because the normal Expenditure of several years had been crowded into a few months. £1,500,000 had to be spent to buy ships that it would take four years to build. Malta had to be victualled for three years; a large number of torpedoes, and a great amount of stores, had to be purchased. But these were not lost. They had not been used, and why should one year's Revenue bear the burden? There was another point, one as to which the right hon. Gentleman the Member for Montrose (Mr. Baxter) had expressed dismay—namely, the increase of the Unfunded Debt from £4,479,000 when the last Government resigned, to £27,870,100 on the 31st of March last, while the Funded Debt had only fallen from £723,514,000 to £710,843,000. He admitted they had not reduced the Unfunded Debt as their Predecessors had; but he contended that, apart from the value of Terminable Annuities, they had not increased its true amount. The Unfunded Debt consisted of Exchequer Bonds and Bills and Treasury Bonds running for short periods, and these had increased, in the five years ended March 31 last, by £20,914,514. Of this sum, only £5,350,000 had gone to meet extraordinary Expenditure. £4,000,000 of it were applied to the purchase of the Suez Canal, of which the securities were certainly not falling in value, while the rest of it had been placed out in loans to local bodies. A sum of £12,460,000 was now outstanding in this way. However much hon. Members might differ as to the policy of making these loans, it was a policy which had been largely accepted by the House and generally approved by the country. He thought the Government had a right to set off against their Funded Debt the amount of their assets, which amounted to £17,500,000. Though, therefore, the total figures quoted by the opponents of the Government sounded very alarming, the net Unfunded Debt of the country had been really reduced by £2,580,500, and the Funded Debt had undoubtedly decreased by £12,500,000. He would now for a moment or two turn to the broader policy which had been attacked so vigorously by the right hon. Gentleman the Member for the City of London (Mr. Goschen)—the policy in accordance with which the Government had framed their Budget and postponed their liabilities. What was the position of the Government at the time the Budget was drawn up? They had to face the extra Expenditure of 1878-9, caused by the Transkei, Zulu, and other African troubles, and the war between Russia and Turkey. Let them take this extra Expenditure and see how it might have been met and how it had been met. The wars to which he had alluded left £10,176,000 as the total increased charge to be met by taxation or otherwise. How had his right hon. Friend the Chancellor of the Exchequer proposed to meet this? By increasing the Income Tax by 2*d.* in the pound, and by levying 4*d.* in the lb. on tobacco. The fairest method of considering the question would be to take the actual excesses of ordinary Expenditure above the ordinary Revenue for the two years 1877-8 and 1878-9. Those excesses amounted to £2,640,000 and £2,292,000. These were the real sums which had been provided for by loan. Assuming the surplus to be sufficient for the whole of the Zulu War, the extra charges of 1877-8 and 1878-9, amounting to £10,176,000, would have been met by £5,244,000 out of increased taxation, and £4,932,000 out of loans. The Chancellor of the Exchequer had, therefore, met, or was meeting, more than one-half out of taxes, and less than one-half by loans, which, if the existing surplus was maintained, would be defrayed in two and a-half years from March, 1880, or in a year and a-half beyond the time proposed in the Budget. What other course could have been pursued? The Chancellor of the Exchequer might have suspended the new Sinking Fund and re-converted the larger part of the Terminable Annuities into Stock, thus obtaining about £4,450,000 in 1879-80, and he might then have paid off the temporary loans raised for the extra Expenditure before the end of this year. Another 1*d.* on the Income Tax would have more than sufficed to pay them off. Did the emergency, however, justify the Chancellor of the Exchequer in suspending the Sinking Fund? He could quite understand that in an emergency like the Crimean War such a course might have been advisable; but surely it would not have been right to put out of gear the machinery devised by Parliament for diminishing the Public Debt merely to pay off certain Exchequer Bonds which happened to fall due. In the matter of their Expenditure, the Government were following strict precedent. It had been the invariable practice to renew Exchequer Bonds when the Revenue of the year failed to suffice to pay them off. During the Crimean War £7,000,000 of Exchequer Bonds were issued, redeemable in four, five, and six years. They should, therefore, have been redeemed in 1860 and 1861; but, as a fact, 1,700,000 of them were not redeemed till 1869-70. A very warm discussion had arisen in 1858 on the proposal of the present Prime Minister to postpone £2,000,000 of Bonds then falling due. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone), however, approved the proposal. He wished to know why there should be any objection to the postponement of Bonds now? In 1858, certain Bonds being due, the Chancellor of the Exchequer did not think the finances of the country sufficient to pay them off, and he proposed postponing them. In 1879-80 Bonds also incurred for warlike purposes fell due in the same manner, and the Chancellor of the Exchequer thought they ought to be postponed. Surely, therefore, the course of his right hon. Friend the Chancellor of the Exchequer was according to precedent. He would now turn to the question whether the Government ought to have increased taxation, and would ask whether the present time was a favourable opportunity for putting taxes on the people? He could quite understand his right hon. Friend the Member for the City of London advocating the adoption of such a course by his opponents; but he could hardly understand the possibility of a Conservative Government adopting it if any means of avoiding it existed. Depression had diminished considerably the consuming power of the people. The addition to indirect taxation made last year had not been encouraging in its results, and to resort to direct taxation in all cases of need was not good finance. He would remind the House of what occurred in 1860. The Government of the day had to make a provision for the China War, which broke out after the Budget for the year had been passed, and, consequently, had to ask for a Supplementary Grant. The Chancellor of the Exchequer at the time said—

> "We propose to apply to the sum (£2,336,000) which we still require, the same principle of a divided method of provision . . . that is to say, we ask the Committee to give authority for raising that sum in part by taxation, and in part from sources other than taxation. In so doing, we follow the rule which is commonly applicable to war expenditure. It is the opinion of Her Majesty's Government that that is a rule which ought justly to be applied to a case like this of China—first of all, because the scale of the Expenditure is such that the country can hardly be expected, especially at a period when charges are rapidly growing under other heads, to provide the whole from the proceeds of annual taxes."—[3 *Hansard*, clix. 1970.]

The Chancellor accordingly provided £1,050,000 by increased taxes, and said he would take the remainder, £1,286,000, from the balances in the Exchequer. In addition to this, he renewed £1,000,000 of Bonds which fell due in the year, and issued £600,000 new Bonds. It might, therefore, be fairly said that a precedent existed for meeting extraordinary Expenditure partly by taxation and partly by other means. At the close of the financial year 1860-1, there were outstanding £3,000,000 of old Crimean War Bonds, and £600,000 of China War Bonds, which were not paid off until 1869-70 and 1870-1. As far as the question of precedents for the course which had been taken by Her Majesty's Government was concerned, he would ask the attention of the House to the course which, on another occasion, was pursued by the Administration of which the right hon. Gentleman the Member for Greenwich was Prime Minister, and the right hon. Gentleman the Member for the University of London (Mr. Lowe) the Chancellor of the Exchequer. Referring to the payment of the Alabama Indemnity, the latter right hon. Gentleman, speaking in 1873, said—

> "So large a payment, however, undoubtedly interferes with our ordinary finance; but it interferes with it not as a permanent payment, but as one that comes once and that may never recur. We have taken these matters into our

consideration, and we are of opinion that, on the whole, it is our duty to place one-half of this payment upon the ordinary Revenue of the present year. That will be the sum of £1,600,000. As to the rest of the sum—namely, another £1,600,000, we think that we ought to provide for its payment, without any further resort to the taxation of the year, by asking for power to give Exchequer Bonds or Exchequer Bills for the amount, in case—which I do not at all anticipate—of an unfavourable state of the finances."—[3 *Hansard*, ccxv., 664.]

Practically, however, the year was so prosperous that it was not necessary to provide for the extra payment partly out of taxes and partly by other means; but the principle was broadly laid down by the then Chancellor of the Exchequer. To sum up, the Government, having in two years to provide about £10,000,000 for extraordinary war expenditure, had, following the precedents of 1860 and 1873, provided rather more than half this sum by taxation and part by the issue of Exchequer Bonds, which, in the present case, were to be paid off in a short period and "kept in sight," instead of being held over almost indefinitely, as had been the case with former Administrations under similar circumstances. He had endeavoured to show that part of the increase of Expenditure the present Government were not responsible for, and that a part of it was inherited from their Predecessors. He had tried to show that the policy of the Government was not so indefensible as might be supposed, and it was the only one which could, in the circumstances of the country, be adopted, and which the precedents justified them in. The real question, therefore, was as to whether the country could bear the increase, and whether it had borne so heavily upon trade as seemed to be supposed by some persons? A good index as to this was to be found in the Returns of the Savings Banks. He found, in regard to the Post Office Savings Banks, that the capital invested rose from £13,524,209 in 1869 to £21,167,749 in 1873, while a Liberal Government was in Office, or a gradual annual increase of £1,750,000; and in the five years of Conservative Administration, from 1874 to 1878, the sum rose from £23,157,469 to £30,156,000, or a larger and equally steady increase. The figures of other Savings Banks showed similar satisfactory results. Could the Government, therefore, in this state of things reduce the Estimates, and, if so, which? He had endeavoured to show the difficulty of reducing the Civil Service Estimates, and as far as the Army and Navy Estimates were concerned, he did not think anyone would suggest, in the present state of affairs abroad, that any reduction was possible. The hon. Member for Burnley said that the Government ought either to make a reduction of several millions, or go out. If that was the alternative, and the reduction was to fall on our Military and Naval Services, he, for one, would much rather go out than incur the responsibility, at such a time, of the reduction. In May, 1877, the House of Commons, by a majority of 131, approved the Turkish policy of the Government; in February, 1878, on the Vote of Credit the majority was 204; in May of the same year a majority of 121 supported the Government in regard to the removal of the Indian troops to Malta; three months later still they had a majority of 143 on the Eastern Question, while in December last the majority of the House in favour of the Government policy in Afghanistan was 101. That policy was not one of a do-nothing character—it was not one which left us out of the Councils of Europe; it was not one that resulted in the destruction of a Black Sea Treaty; and he had such confidence in the common sense and patriotism of Englishmen that he did not believe—notwithstanding the distress and stagnation of trade—that the present policy of the Government would meet with disapproval.

Mr. GLADSTONE: Sir, I have not troubled the House at any length for three or four years on questions of finance, and there are reasons which would have led me to desire to remain silent on the present occasion rather than subject to a close review the policy and the measures which are now proposed to us, and the grounds on which those measures are sustained. But, having been so closely and so long connected with the finances of the country, I feel that my silence would not be compatible with my public duty. We have now reached a point at which it is of vital importance to the country that the whole of this matter should be brought under careful review, and yet it seems to me, although I had thought we were all aware of the question we were discussing, that I find no less a person than the Leader of Her

Majesty's Government in this House does not appear to be thoroughly cognisant of it. I had the honour of being one of his auditors on Saturday evening outside the walls of this House, and on that occasion he assured a more mixed but very harmonious party that the Government were arraigned upon a certain charge; and in the hearing of the hon. Member for Burnley (Mr. Rylands), who sat near him, he stated that the charge upon which the Administration was arraigned was this—that they did not choose or think proper to impose additional taxes upon the country. Hon. Members on the Ministerial side of the House seem to think that this was a correct description of the charge; but it seems to me that those who make the charge are capable of forming an opinion upon what it is, and it is not a very unnatural course, when we want to know what is being charged upon a Government, to refer to the Motion on which the charge is based. The Motion before the House expresses regret at the amount of the Public Expenditure. That is the charge upon which the Government is to be tried by the House; that is the charge upon which hon. Gentlemen will have to vote. It is perfectly true, when we look back at the amount of the Public Expenditure, that the subject is inextricably mixed up with the policy of the Government, and it is not for me to enter into the question of whether the Expenditure of the Government is or is not a necessary effect of that policy. Having objected to the policy point by point, I am entitled to object to it still, and to object to it in connection with the Expenditure which it has involved. The hon. Gentleman who has just sat down, after making a most intelligent and temperate speech, recounted us the imposing majorities by which the Government has been supported—120 to-day, 140 another day, 204 a third day, and then I think he said, last of all, 101. Was it really last of all? I think there was another Division of vital importance to the policy of the Government in which the majority of 101 dropped to 60. But, Sir, that is a comparatively small matter. It is all very pleasant for hon. Members to enjoy voting for what is called a vigorous or a spirited foreign policy; but the day will come when they must face the cost of that policy. That day has arrived, and that is the charge upon which the House has to decide and which the country will have to consider. My right hon. Friend availed himself of the opportunity afforded by the munificent hospitality of my hon. and gallant Friend opposite, the Chairman of the Metropolitan Board of Works (Sir James M'Garel-Hogg), to make a speech, and in listening to it I bethought me of the remark often made, I hope untruly, that the clergy are in the habit of making strange assertions in the pulpit because they know nobody can reply to them. It appeared to me that my right hon. Friend, with considerable ingenuity on a happy occasion, gave a direction to the mind of the company, and through that company to the public in general, rather wide of the truth. This is a debate on the Expenditure of the country. The question of the imposition of taxes necessarily enters into this debate; but it enters into it as a matter consequential to the main question, which is the Expenditure of the country. The hon. Gentleman who has just sat down prefaced his speech with a declaration of his belief on financial matters. He said there are two articles in his financial creed—two tests and criterions of good sound finance. One was that it ought to be known which of the two Parties taxed the country the most lightly, and the other was which spent the taxes the most wisely. Allow me, Sir, to plead, though I do not wish for tests of any kind, for the introduction of a third article into the financial creed of, at least, the Secretary to the Treasury, and that is that the income of the country ought to balance its Expenditure. The hon. Gentleman observed that the present Government has been singularly happy in being able to remove important taxes. They removed the sugar duty and the horse duty, and they reduced the Income Tax. That is an observation which in itself is perfectly true; but he set me a-thinking about the manner in which every incoming Government finds itself heir, from the necessity of its position, to the engagements of the Government which has gone before. It is perfectly true they did remove the sugar duty, they did reduce the Income Tax, they abolished the horse duty; but how was it done? What kind of financial heritage did we receive, and what kind of financial heritage did we deliver? The financial heritage which we received was an engagement with the Telegraph Companies, which compelled us to contract £9,000,000 of debt, and a surplus charge unpaid from the Abyssinian War of £4,300,000, or altogether a beneficent and charitable bequest from our Predecessors of the modest amount of £13,300,000. That was the beneficial heritage into which it was our good fortune to enter at the end of 1868. What was the heritage into which it was the good fortune of the hon. Gentlemen opposite to enter? It was simply this—the disposal of a free and unencumbered surplus of £6,000,000. So much for the heirship of the Government, and the manner in which they are accustomed to hand over the affairs of the country to those who succeed them in Office. I shall not enter into that portion of the speech of the hon. Gentleman which related to the Public Debt. That is a matter of great importance, and I leave it to my right hon. Friend the Member for Pontefract (Mr. Childers); but I will not pass from it without saying that the hon. Gentleman is entitled to the credit he claims for labouring assiduously and following the good example set him by the First Lord of the Admiralty in endeavouring to keep down that portion of the Expenditure which fell within his control and immediate discretion. There was another remark which I must notice—that referring to the Black Sea Treaty. I am sorry to obliged to refer to it; but the remarks made compel me to deviate from a rule I had laid down, to avoid to-night discussing the merits of foreign policy. The question now before us is quite sufficiently grave, complicated, and extended, without casting our net so wide as to cover all the matters on which we differed on former occasions. I am prepared to subscribe to most of the assertions the Secretary to the Treasury has made. I do not accuse him of any inaccuracy in matters of fact; but I will show that he did not touch the issue now before the House. I say the same of the speech of the First Lord of the Admiralty. How did that right hon. Gentleman proceed? He thought he disposed of the case in this way. He took certain Estimates for the year 1874-5, which were prepared in the year 1873-4 by the Departments, and which, though they did not receive the sanction of the Government of the day, he supposes—and I do not complain of the supposition—might have been adopted by them. He compared these with the Estimates of the present year, showing a considerable increase, and he thought he accounted for this by giving a number of items by which it was covered. I find four most serious and fatal flaws in that method of handling the question. In the first place, the right hon. Gentleman took no notice whatever of the fact that, whereas during the year first named the range of prices for provisions, for material, stores, and all kind of clothing, was extraordinarily high, the Government have now in the Estimates the greatest advantage of a range of prices unusually low. The right hon. Gentleman quoted, in favour of the Government, a sum of £500,000 or £600,000 which was due to the increased pay to the Army. I would venture to suggest that the gain to the Government on stores and materials and clothing from the low range of prices is probably not less, perhaps it is more, than the amount of the increased pay to the Army. What is the value of a comparison of this kind, which carefully takes credit for all the important items from which advantage can be drawn in argument, and which passes entirely over those set-offs which go to the other side, and would destroy the force of that argument? Secondly, as the right hon. Member for the City of London (Mr. Goschen) has shown, the right hon. Gentleman has taken no notice of the ships that have been bought, of the stores that have been bought, of the provisioning of the Malta Garrison for three years, and various other measures borne out of Votes of Credit, and which have enabled the Government to dispense with a portion of the Estimates for the present year. Thirdly, the right hon. Gentleman compares the Estimates of the present year with the Estimates of 1874-5. The hon. Member for Burnley (Mr. Rylands) has not made a Motion about Estimates; he has made a Motion about Expenditure, and it will be, I am sorry to say, a very disagreeable part of my duty to endeavour to show that the Estimates which are made by the present Government in and before the month of April afford no clue whatever to the ultimate Expenditure of the year. The right hon. Gentleman confined himself entirely to the Expenditure which arises out of the ordinary administration of the establishments of the country, whereas my hon. Friend contemplates in a large degree, I may say mainly, that Expenditure which arises out of the policy of the Government, to which we objected when it came before us in the shape of policy, and to which we now object when it comes to us in the shape of greatly increased Expenditure. As to taxation, that is a question for the Government, and not for us. We do not admit that there have been necessities in the condition of the world which ought to have created the necessity for imposing new taxes on the country. We allege that partly laxity of administration, but mainly errors of policy, have led to a vast Expenditure; and for those who think that that Expenditure is justified, it is an absolute and primary duty to meet that Expenditure by adequate taxation. I am sorry to be obliged to say a few words on the proceedings of 1860; but they have been misrepresented by the hon. Gentleman who has just sat down, and also by the First Lord of the Admiralty. The hon. Gentleman who has just sat down says that in the early part of 1860 I formed an inadequate estimate of the expenditure of the China War, and that in the month of July I had to come down to the House and ask for a Vote. Now, the hon. Gentleman is not accurate in his recollection of history. I formed no estimate of the expenditure of the China War in the early part of 1860, and I did not come down later in the year and say I did not know exactly what it had cost. That was not the mode of proceeding in those days. The China War, in fact, did not exist in the early part of the year, and I could not possibly estimate the cost of a war which had not begun. But the hon. Gentleman says I afterwards, on the part of the Government of Lord Palmerston, pleaded with the House that we ought to make a provision for the charge of the war, partly out of taxes, and partly out of the balances of the country, which was equivalent to adding so much to the Debt. Upon the back of that he has heaped another charge, that with respect to the erection of fortifications which was proposed in the same year, we did not provide for them upon the Votes, but by the purchase of Annuities to expire in the year 1885. The accusation is this—that it is inconsistent to object to the proceedings of the Chancellor of the Exchequer on the part of one who was a party to those proceedings in 1860. Now, it was impossible, in my opinion, to fall into a grosser error. What was the position of the country in 1860? It was this—that in a time of peace, I mean of general and European peace, we had done that which has been, I believe, unparalleled in finance. We had in the course of one year raised the Income Tax from *5d.* to *10d.* in the pound. Now, these were circumstances under which we felt it necessary, when an extra charge for fortifications was adopted, to resort to the method of Terminable Annuities. Those were circumstances under which, when the China War came on, we said that a portion of the cost should be met by taxation. But I will not go further into detail on these matters, because, after all, it would avail but little as far as the country is concerned, if the right hon. Gentleman opposite could make good the charge, with respect to which I believe it is entirely and absolutely groundless. But I come to the main matter that is at issue to-night, and I wish to remark, in the first place, upon the Expenditure itself—its quantity and its quality. I wish to remark, secondly, upon the mode that has now been adopted, by a perfect innovation, of striking the public balances. And, thirdly, I feel it my absolute duty to comment upon the doctrines by which these proceedings are supported, which, in my opinion, are even a great deal more objectionable than the proceedings themselves. I look upon the Expenditure first in the gross, subject to the remarks made by the Members of the Government; and when I say I take it in the gross I find the Expenditure in 1873-4, less the Alabama payment, which had no connection whatever with the operations of the year, to be £73,269,000. The Expenditure of 1878-9, the whole of which was associated with the proceedings of that year, except a comparatively limited sum which had accrued under the form of Terminable Annuities, was £85,407,000, showing an increase of over £12,000,000 in the course of five years of the history and experience of this country. Do not let it be supposed I am going to charge the whole of the £12,000,000 to the responsibility of the present Government. I do not quote it for that purpose. Nor do I propose to enter into a discussion in detail of a matter on which there is a good deal to say, both one way and the other. But I quote it because I think it is a fact that should draw the attention of the people of this country, and they ought to consider in what direction they are travelling with respect to Public Expenditure, and likewise at what rate they are proceeding. But, wishing to get rid of doubtful questions, I come to and I will take my stand upon a question for the purpose of the present night's argument. I will take my stand upon what is called Expenditure for the Forces. The Expenditure for the Forces in 1873-4, including a war which certainly did not grow out of our policy in particular, but for which it was our duty to provide, and which we did provide for to the extent of £800,000 — namely, the Ashantee War—was £26,220,000; and upon an average of five years of the Liberal Government, the Expenditure for the Forces was £25,299,000. That Expenditure arose, as I contend, through the operation of causes independent of our choice, but through the operation of free action on almost every point of the present Government—and especially on the policy which they had thought fit to adopt with the support, I grant, of triumphant majorities in this House—but, at the same time, candour will compel the Government to admit that this was in the face of our determined and repeated protests. That Expenditure had increased in those five years, if we compare them with the average of the late Government, to the extent of £6,896,000 a-year; or if we depart from those averages which are apt to be fallacious, and compare with the last year's Expenditure of the late Government, 1873-4, we find the increase is £5,975,000 upon the Expenditure for the Forces, or, in round numbers, an augmentation of £6,000,000. This is an augmentation which I challenge, and I challenge it in the amount which it presents, and for the purposes to which it is applied. I challenge it on the amount which it presents, and I decline to admit any reduction, because I believe that, although the right hon. Gentleman the First Lord of the Admiralty did not tell us the fact, he has profited by the low rate of prices to quite as great an extent as the increase of pay which he was careful to quote. It is not only that we have got this augmentation of £6,000,000 in the Military and Naval Expenditure of the country, but let us observe how this Military and Naval Expenditure has grown. We have had a large reduction in the Estimates this year. Sir, a reduction in the Estimates in the sixth year of Parliament bears an unwholesome resemblance to that which is known as the death-bed repentance. We see how, when Parliament was young, it sowed its wild oats, and how, when it has grown old, there is a semblance of repentance; but we are as yet entirely without any evidence of the reality of the change. In the first year of the present Government, the Expenditure for the Forces was £25,903,000; in the second year, £26,842,000; in the third year, £27,286,000. They were the years before we had entered upon that remarkable career of foreign policy by which the later experience of the present Government has been distinguished. In the fourth year of the present Government the Expenditure rose and developed more freely and largely. We had an increased figure of £30,590,000, and in the fifth year £32,195,000. And now, Sir, it is pretended to say, in a modest and unassuming—nay, attractive and bewitching—form that there is an enormous reduction in the figures before us as to the Expenditure on account of the Forces, which now stand at only £27,332,000, or about as much as it stood in the third year of the present Government. I have stated that I cannot consent to attach any value to that reduction, and I will state my reasons; but, in the meantime, I will say that it would be very disgraceful in an old public servant to be the man to challenge the Expenditure, unless he challenges the main cause to which it is due. I challenge those causes, Sir, from first to last. I challenge them, and have challenged them, in this House from point to point, from their dangerous and subtle, but I grant most successful, commencement in the silly business of the purchase of the Suez Canal. I will not enter into detail on that subject. I will only say two things. You have increased the territory of the country, it is true.

You own the Fiji Islands, which you did not own before. You have got what you call "the occupation of Cyprus," which you had not before. You have occupied by force of arms a portion of Afghanistan; you have made a disastrous acquisition of territory in South Africa; you have enlarged the Empire, and in enlarging the Empire you have simply augmented the drains upon its resources; and you call to mind the significant words of Scripture—"Thou hast multiplied the nation, but not increased its joy." This is not all. You have not by your foreign policy improved in one single case your relation to any nation or any race on the face of the earth. I come now to two remarks, which I think were most unwise remarks, one made by the First Lord of the Admiralty, and the other by the Secretary to the Treasury, who could not resist a flight into the higher region of politics by way of rounding off their perorations. The First Lord of the Admiralty said that this expense had been incurred in order to bring about a more satisfactory estimate of the position of England in other countries and better relations with other Powers. That is a declaration of the First Lord of the Admiralty. I want to know what is the nation or race upon the earth with which you have improved your relations? Is it with the Aborigines of South Africa? Is it with the gallant Hill Tribes of Afghanistan? Is it with the oppressed races of the Turkish Empire? Is it with the 80,000,000 inhabitants of Russia? I am afraid, on the contrary, that what has been done has contributed more than anything that has ever been done in the like time—certainly far more than was done by the upright and straightforward proceedings of the Crimean War—to estrange the affection of the people of Russia from the country to which we belong. But the right hon. Gentleman undertook to say that our relations with foreign Powers are now upon a more satisfactory footing. What is the proof? Have you been so successful in bringing about, by this harmonious state of relations with foreign Powers, the settlement of the questions which you thought you had settled by the Treaty of Berlin? Have you been able, by this wonderful state of harmony which you have created, and in consequence of the opinion which you have inspired as to the valour and the might of England, to carry with you the Powers of Europe in arranging the question of the Greek Frontier, or in allowing the entry of Turkish troops into Eastern Roumelia? Where, I would ask, are the evidences in your performance of the boast you so unwisely make? When the right hon. Gentleman was not First Lord of the Admiralty, but was most usefully employed at the Treasury, we were told, on higher authority than that of the right hon. Gentleman, in what state he found the foreign relations of this country when the present Government acceded to Office. On the 19th of March 1874, Lord Derby—["Hear, hear!"]—Lord Derby—[*A laugh*]—yes, the present Lord Derby—[*Ironical cheers*]—Lord Derby—[*cries of* "Go on!"]—I will go on—the present Lord Derby, who, until he had occasion, in the operation, I presume, of his own conscientious convictions, to quit your ranks, it was your daily habit to extol as a model of intelligence and wisdom—it was Lord Derby, I say, who, when he possessed your entire confidence and was your organ for the purposes of foreign policy, spoke, on the 19th of March, 1874, words in flat contradiction of those which we have heard from the First Lord of the Admiralty. Lord Derby then told us—

> "All I can say is that at the present moment"—he had then been a few days in Office—"the position of the country with regard to our foreign relations is most satisfactory; there is no State whatever with which our relations are not most cordial."—[3 *Hansard*, ccxviii. 49.]

That was the state of the nation. Now, it was necessary for us to spend millions—you say to improve—I say to shake and to disturb, and, in some too well-known cases, to embitter relations. Shall we go back now to the Secretary to the Treasury and his Black Sea Treaty? I should like to ask the Secretary to the Treasury if he has bestowed a single hour on the investigation of the history of that transaction? He told the House that it was owing to us that the clause in the Treaty of Paris relating to the Black Sea was done away with. Is not he aware that the Powers of Europe, before Russia declared that she would not have the clause, without exception pronounced it to be their opinion that she ought to be released from its operation? At the time when the thing happened, I believe Austria would have joined England if we thought fit, but the Turks would not have joined us; but I should like to know what kind of war could we have carried on in union with Austria in refusing that which had the approval of France, and Italy, and Germany, and to which Turkey herself was an assenting party? This is the sort of accusation which is brought against the late Government. I have now said enough, I think, without going into further detail, to justify my statement that I was not going to object to the mere amount of the Expenditure of the Government—though I do object to it—but that I base my objections especially on the policy from which that Expenditure has arisen. The second question to which I wish to call the attention of the House is one which, in my opinion, is not less serious, because this is a rich and powerful country, and because the fact of a few millions being wasted though very important—and I do not wish to disparage it—yet is less important than the mode and principles on which our finances are conducted. Certain statements have been made to us, from year to year, on the authority of the Government, as to our financial position; and as in dealing with them I am obliged to comment sharply on proceedings of which the Chancellor of the Exchequer is the organ, I desire, in the first instance, to render him a tribute which I think it is my duty to pay him. I do not think any man within the last 40 years—and certainly I include myself, I need not say, among the number—has taken the office of Chancellor of the Exchequer with as great a capacity for the discharge of its duties on the whole, from his general intelligence, his experience, knowledge, and assiduity combined, as the right hon. Gentleman. But while I am most desirous that he should have the benefit—if any benefit can accrue to him from such an admission—and although I have done what in me lies to give his plans a fair hearing, I am bound to say I have known no Chancellor of the Exchequer from whose proceedings it has been my duty in my own mind, and occasionally in this House, so emphatically to dissent, or whose administration I consider to have wandered so far from the well-known traditional and salutary principles of English finance. Now, Sir, I object to the mode of balancing the public accounts. How is it done for 1878-9? Why, there is a deficiency of £2,291,000. Does that represent the real deficiency of the year? Most certainly it does not; because my right hon. Friend attached to the charge of the year the set of Exchequer Bonds which he thought fit to issue and promised to pay this year, and which amount to no less a sum than £2,750,000. Let us go back to the history of the Bonds of 1858, which Mr. Disraeli declined to pay, and which, I say, he was right in declining to pay, for he had nothing to do with the creation of those Bonds. They grew out of the Crimean War, and were to be handled as part of the general finance of that year. But these £2,750,000 Exchequer Bonds of which I am now speaking are essentially part of the deficiency of the year; so that the real deficiency, instead of £2,291,000, is at least £5,000,000. You have chosen, deliberately and gratuitously, to make war on the Afghans, which cost you up to April some £2,000,000, and you have declined to take the charge of that war directly on the English finances. You are going to borrow money for the purpose, and to lend it to India; and I am by no means sure that that £2,000,000 will not ultimately prove to be a portion of the deficiency for 1878-9. But I desire to dwell more pointedly on the year 1879-80, for the purpose of illustrating the meaning which I wish to lay before the House. We have got an apparent reduction of Expenditure for the Forces exceeding £4,000,000, and a total reduction of Expenditure exceeding £5,000,000, and we are told that there is to be a surplus of £1,900,000. Now, it cannot, it appears to me, at first sight, but create astonishment that those who offer us this splendid prospect, instead of being hailed with gratitude and acclamation as the saviours of their country, and as the most prudent, thrifty, bountiful Administration ever known, should be gruffly met by a Motion such as that of my hon. Friend the Member for Burnley, censuring their conduct; and by my right hon. Friend near me, the Member for the City of London (Mr. Goschen), declaring it to be his opinion—in which I concur, as do nearly all the Members on this side of the House—that that Motion is deserving of our support. And how far, let me ask, are we justified in that support? In the first place, there is no surplus at all. The £1,904,000 which is presented to the eyes of delighted beholders as the surplus of Revenue over Expenditure has no existence. It was the absolute duty, in my judgment, of the Chancellor of the Exchequer to have dealt with the grave question of the war in Africa in a manner diametrically opposite to that in which he did. My right hon. Friend said—"I have consulted my right hon. Friend the Secretary of State for War and the First Lord of the Admiralty, and I am not in a position to give any definite or distinct estimate with regard to the expenditure for the Zulu War." That is the statement of the Finance Minister of England, acting on behalf of a Government distinguished for their spirited foreign policy; he can give no clear estimate with regard to the expenditure of the war, and therefore he will assume nothing at all, and will put down the whole sum as a surplus of Revenue. [The CHANCELLOR of the EXCHEQUER: I did not say that.] I beg pardon. I am strictly accurate. I know what my right hon. Friend said; he said—"There is to be some charge, no doubt; and it would go against the £1,900,000." My allegation is, that this money is put down as a surplus, and has gone forth to the country as a surplus. Of the admirable speeches that we all make in this House, do you think that anything more than the summary of half-a-dozen lines is read by one person in a thousand? What has been read in the country, and what is insisted upon in the Conservative Press, is that there is a surplus of £1,904,000. Here is a Parliamentary Paper submitted to the House, and circulated through the country, with the amount in those attractive and delightful large letters to which I have referred. That is the delusion which my right hon. Friend has encouraged, if not created. But now let us consider this matter. We are generally governed in financial as well as other matters by precedent. I do not know any Government that has done so much to set aside the authority of precedent as the present Administration; but I am thankful to say that precedent is still of some importance in this House: and I am quite sure that the regular ordinary Parliaments of England will not depart from that most salutary principle, and will not forego that great safeguard of wise action—a careful regard to precedent. The Chancellor of the Exchequer says he cannot form any distinct or definite estimate of the cost of the Zulu War. Did he ever hear of any Chancellor of the Exchequer who could form any definite or distinct estimate with regard to any war whatever? What is the nature of the Zulu War that makes it impossible to form a definite and distinct estimate? When a Finance Minister of this country cannot form a definite estimate, it is his duty to form a liberal and a large estimate. I speak not from any mere opinion of my own, but in accordance with the principles of the finance of this country. I say, in what he has done he has departed from precedents which are most striking, and are also, as I believe, uniform. If the precedents I quote are precedents in which I myself am concerned, I do not claim the smallest merit for that. I quote them because I have an accurate and intimate knowledge of the facts, and because I had not the slightest idea that I did any more than conform to the rules which the whole House of Commons of those days would have cried out against if I had attempted to compromise them. In the year 1854 I brought in the Budget on the 8th May. The Crimean War had just broken out. Was it in my power to form a definite and distinct estimate of the Expenditure in the war which had just been declared, but in regard to which no military operations of a serious character had been taken? In that respect it was different from the case of this Zulu War, so sadly inaugurated by the destruction of many of our gallant countrymen. Did I come down to the House and plead that I was not able to form a definite and distinct estimate of the cost of the war? On the contrary, the Military Expenditure of the preceding year—1853—had been £16,506,000, and we put Estimates on the Table for raising that Expenditure by £11,000,000 to £27,440,000. I was followed by my right hon. Friend—my greatly esteemed Friend—Sir George Lewis. What did he do? Did he say he could not form a definite and distinct estimate of the cost of the war, and had no power to form one? This Zulu War is one of the easiest wars we have ever had to estimate for. It lies within a comparatively small area. It can be done. It cannot be done exactly; but I will stake my experience that it can be done. It ought to have been done.

According to the principles of our finance, and in other Parliaments, it must have been done. What did Sir George Lewis do in 1855? The Military Expenditure which I had raised by £11,000,000 had exceeded my Estimate of £27,500,000 by £1,000,000 or £2,000,000. That Estimate he raised to £49,800,000. Do you suppose he presented a "definite and distinct" Estimate? No, Sir! but he did not search for all expedients by which to avoid facing his public duty and incurring responsibility or unpopularity by charging heavy taxation. But we are charged with our conduct in 1860, and I refer to that subject now in a different aspect to that in which I spoke of it a few minutes ago. On July 4 we heard that the Chinese Government had rejected the overtures of peace which we had made. It was our duty to come down to the House and ask for Supplies. Well, Sir, nothing would have been more agreeable to me at that time personally than to have acted upon the principles now in vogue. I might have said — "The time for making the financial arrangements of the year has passed by many months—(our Budget was in February)—it would be very inconvenient to disturb the public mind. We will, therefore, resort to a temporary expedient." I might have said—"The country is very greatly depressed." The country was seriously depressed, and it had then the prospect—unfortunately afterwards realized—of the very worst harvest that had occurred for half-a-century. But I did not plead that, and I had no merit whatever in not pleading it. I only fulfilled the common-place duty of my Office in refraining from the plea that I could not make a "definite and distinct" estimate, and that my right hon. Friends could not make such an estimate of the cost of the war in China. What did we do? We asked the House of Commons, which had given us a Vote of Credit in the spring for £500,000, to raise that Vote of Credit to £3,800,000. Because we could not make a "definite and distinct" estimate we took a large and a free estimate; and while our Vote of Credit — of the details of which we knew, and could know, nothing —was £3,800,000, our Expenditure for the year fell within that Vote of Credit by £800,000, and amounted to £3,000,000. That is the mode, and these are the principles, upon which every Finance Minister that I have known for half-a-century has acted. These are the elementary principles of finance, and it is our duty to watch carefully, and to condemn the first attempt to depart from them. What is the effect of this doctrine? It cannot be proclaimed too distinctly that so long as the methods of the present Government are in use—of which the present Finance Minister is the organ, but I never will believe can be the author—that annual Budget and Financial Statement to which the Representatives of the people—to which the whole country—has been accustomed to look once a-year in order to comprehend its financial position, that April Budget is tending to become absolutely worthless. Its value is already enormously impaired, and with it the control of Parliament is impaired. What is the position of Parliament under a system under which we have one Budget in April, another Budget in July, and another in the next February, before the year is over? Why, that we go through the form and semblance of financial control, but might just as well leave the whole matter in the hands of the Government, calling it afterwards to account; for the real financial control—the control by anticipation—is become absolutely impossible. Unfortunately, it is impossible to meet this question without some recollection of the fact that this is the sixth year of Parliament, and according to all precedent it would be the year of Dissolution. ["No, no!"] What precedent, then, is there the other way? What precedent is there for a seven years' Parliament? [An hon. Member: Lord Palmerston's, in 1859.] Will the hon. Gentleman consult one of those very recondite authorities—Mr. Vacher or Mr. Dodd? He will find that the Parliament dissolved in 1865 was elected in 1859; and if my arithmetic does not err, from 1859 to 1865 was a period of six years. Sir, this is the sixth year of the Parliament. We have a war raging in South Africa, independently of other circumstances that are dangerous and menacing. The Chancellor of the Exchequer declines to give us any estimate of the expenses of the war in South Africa. But although he does not give us any estimate, I believe that those who consult the Colonial journals can arrive in a certain way at the opinion in the Colony, and can obtain, not trustworthy estimates, but some outline of the ideas that prevail. The ideas represent several millions—and, in some cases, many millions—as the probable cost of the Zulu War. I hope that may not be so; but I say that it is for the Government, who have means of forming a judgment which we do not possess, to give us the best estimate they can, and to put it down as a charge. They are not to treat it as something about which there is not a doubt. But when there is a doubt about the particulars, they should solve that doubt by making a liberal estimate of the amount. I will go back to 1868. In that year an estimate was given of the cost of the Abyssinian War. That estimate was, I think, between £4,000,000 and £5,000,000. We went to the Dissolution under the belief that that was to be the cost of the war. Well, we entered upon Office after the Dissolution, and then for the first time we learned, and the country learned, that the true cost of the war was £9,000,000. My right hon. Friend now pledges himself to nothing; and even if another £9,000,000 should be the cost of that war, it will probably fall on those who may be the Ministers of the Crown after the next Dissolution, should the Dissolution take place according to precedent, to find the money for meeting the charge left by the right hon. Gentleman. Sir, in my opinion, Parliament has a most serious question to consider, quite apart from the mere figures of this case, in the subject that I have now touched with regard to the mode of presenting the Expenditure to the country. It has often happened to me, in the course of my financial experience, to have consultations with Ministers of foreign countries on their method of finance; and I have invariably said to them this one thing—"Depend on it, if you mean to have anything in the nature of popular control over Expenditure, that which beyond all other things you want to do is to have a full Financial Statement made once a-year, embracing the entire charges to be incurred." That is a principle which appears to me to have been trampled under foot by Her Majesty's Government. I must, Sir, again compare their proceedings with the proceedings of the former Government, not because there was any particular merit whatever in our proceedings, but simply because I believe they afford a fair example of the application of ordinary rules. I say, first, that it is absolutely necessary, if we are to exercise control, to have a Financial Statement once a-year, setting apart, of course, those excesses which, from circumstances wholly new, may arise in the course of the year. Now, what is the state of the case? Here are the five years during which the late Administration existed. In two of these—1871 and 1874—there were such additional charges, in 1870-1 the Franco-German War led to the proposal of a considerable Vote of Credit, and in the last year of the late Government there came the Alabama charge. In these two years the final charge for the year went up to something more than £2,000,000 in excess of the April Budget. I have named the causes of this, and the House can judge whether they were justifiable or not. In the other three years I will compare the April Budget with what I will call the final Budget—that is to say, the whole amount of charge asked by Government from Parliament during 12 months. In the first year of the late Government the final Budget corresponded with the April Budget, except that there was an excess of £275,000; in the third year the excess was only £125,000; and in the fourth, £350,000. Those small excesses may, I believe, be entirely justified by the nature of the system we now pursue, and which in certain items of the Civil Estimates makes it absolutely necessary to apply towards the close of the year for certain new credits. Of course, the figures I have given do not at all imply that the Expenditure of the year was in excess of the original Estimates. I have shown that £200,000 or £300,000 was found under the late Government to be the measure of this excess. Now I come to the experience of the present Government. In their first year the difference between the April and the final Budget was £1,016,000; in the second year, £1,209,000; in the third year, £1,127,000; in the fourth year the excess was £6,875,000; and in the fifth year, £3,652,000. Now, Sir, the effect of this is that the House loses its control, and the Government loses its responsibility, and the fundamental principle of keeping the income up to the charge is forgotten and got rid of. The House loses its control, for in the pressure of Business it is impossible to make up a true annual Statement more than once a-year. The Government loses its responsibility, because in the beginning of the year they come down, saying they are not going to lay on a tax because they cannot form an estimate of what the charge is. They wait until the close of the year, and then come down, and, as in 1878, say—"It is too late now to lay on a tax, because it cannot be gathered within the year." My right hon. Friend, and the Government to which he belongs, will certainly be remembered for many long years in the history of this country. I do not now intimate the sense in which they will be remembered; but this I say—that, whether they are right or whether they are wrong, their modes of proceeding in finance are entirely subversive to all those which have heretofore been considered the true precedents to follow. What were the doctrines given to us by the Chancellor of the Exchequer in his Financial Statement? The first is, that a Minister need not estimate for any war in actual progress unless he knows definitely and distinctly what the charge will be. Under cover of that principle no such estimate could ever be made, because it would never be possible to know definitely and distinctly what the charge of a war might be; and a Chancellor of the Exchequer who wishes to emancipate himself from responsibility would be able to avoid submitting estimates for such a war. What is the second doctrine? Taking the distress of the country, which my right hon. Friend says is not an excessive distress—there is just enough of it to make it disagreeable and inconvenient to impose any additional taxation—the distress of the country is a reason why the public income shall not be made adequate to meet the charge. Where did my right hon. Friend obtain any sanction for that principle? But he was not satisfied with denouncing those who would lay on taxes when there is distress in the country—the Chancellor of the Exchequer sneered at it. He called our finance heroic finance—a thing to be avoided. The meaning of that phrase was obvious enough. But the man who used that phrase was the man who, in his deliberate reflection, eulogized the proceedings of Sir Robert Peel in 1842. Was there no distress in 1842? It was one of the most distressed years which this country has ever known in the lifetime of any man who hears me. Sir Robert Peel had then to deal with the finances of the country, and in circumstances even less fortunate than those which now exist, and with great prescience he brought into view the charge of a few millions entailed upon India for the Afghan War. He said—"Depend upon it, you cannot afford to overlook the state of Indian finance." Is it enough now to point to remote dangers which may possibly arise? This is not the time to enter into detail upon the finance of India. That question has grown to such vast and menacing importance that it must, I think, form the subject of separate, serious and early discussion in this House. If I am not much mistaken, we have arrived at a time when, if measures very different from those of the present Government be not taken, the people of England will have to face the formidable duty of assuming the responsibility of the charge and debt of India. But, Sir, there was distress in 1842, and Sir Robert Peel did not make that a reason for imposing no taxes, but he imposed them, and he has been commended for so doing by my right hon. Friend. What more does my right hon. Friend say in his book? He says that they all recognized the duty of funding, and that any other process would be most mischievous and enervating. That is his doctrine, and he is a pupil of Sir Robert Peel, and received his first political education in the atmosphere which was pervaded by the principles and practices of Sir Robert Peel, and lauded in the warmest terms the proceedings of Sir Robert Peel in 1842. Why, what was the very first measure of Sir Robert Peel on entering Office in 1841? It was to fund between £4,000,000 and £5,000,000 of Exchequer Bonds. This is the "mischievous and enervating" process to which the Chancellor of the Exchequer will not resort! But my right hon. Friend says he has discovered a *via media,* and he will make provision by temporary instruments to keep the debt before our eyes. But, again, my right hon. Friend dealt with the question also on a former occasion, and what he now calls a *via media* he then called by a very irreverent name which I am almost ashamed to quote. He called it a financial nostrum. [The CHANCELLOR of the EXCHEQUER dissented.] I would remind the right hon. Gentleman that it is on page 15. [The CHANCELLOR of the EXCHEQUER: Oh! I know it.] This, Sir, is what the right hon. Gentleman said of Sir Robert Peel—"First he swept away all idea of meeting the difficulty with financial nostrums." He then goes on to enumerate them, and among them is the issue of Exchequer Bonds. The financial nostrum of 1842 is now exalted into the *via media* of 1879. These are the indications of the progress of the human race in the matter of finance, of the survival of the fittest, the evolution of all wisdom, and the advance towards perfection in the 27 years that have since elapsed. On every point my right hon. Friend is at daggers drawn with the finance of Sir Robert Peel. There is no principle on which Sir Robert Peel proceeded that my right hon. Friend has not reversed. I have gone through most of them; but there is yet one more. I need not dwell upon it, because it has been dealt with before. He says that taxes ought not to be imposed when you have only to provide for one year or two of deficiency. How does he know that he has only got to provide for one or two years? He has had to provide for two already, or rather he has not provided for them, and how many more there are to come I know not, nor does he; but this I know—that until there be an alteration in these methods of procedure, by which Her Majesty's Government have disturbed needlessly Europe, Asia, and Africa, this country will not regain its wonted tranquillity of mind nor feel the confidence which it ought to feel in the course of public affairs, and which is so necessary in order to enable its industry and its enterprize to pursue their course unchecked. I need not dwell upon the other part of the doctrine which the Chancellor of the Exchequer has now invented—namely, that you need not mind an annual deficit or two, and that you need not provide for them, but that you can balance them when you have a surplus; and that, on the other hand, when you have a surplus you should not give it away. What did he do, as my right hon. Friend (Mr. Goschen) has shown? When he had a surplus he gave the whole of it away; and yet when he has a deficit he invents a doctrine to show that that deficit need not be supplied until he has a surplus. With regard to this scheme, one of the proposals is really inoperative—namely, that half of the doctrine which lays it down that deficits need not be supplied; and the other half of it—namely, that surpluses need not be given away, is a pure airy and imaginary abstraction, and will not keep an additional pound in the pocket of my right hon. Friend, if ever he should again be so fortunate as to have a surplus. Well, these are the doctrines which are now in vogue, and against which we desire emphatically and sternly to protest. What were the counter doctrines which were enforced among the Liberal Party in my early life, and of which it was the political pride of the Conservative Party under Sir Robert Peel, when, in an unhappy moment, Liberal finance had deviated from them, that it was their duty and their honour to restore the strict observance? If there was one thing more than another that gave Sir Robert Peel his position in the estimation of the country, long before the question of Free Trade came up, and that in 1841 designated Sir Robert Peel as the coming Minister, it was this—that under Lord Monteagle laxity had been allowed—although nothing to compare with what we see now as a matter of every-day practice—to creep into the application of financial principles, and the country had fixed upon Sir Robert Peel as the man that would adhere to those old principles. And what were his rules? I will venture to say they were to make moderate Estimates of his Revenue and to make full Estimates of his charges. His rule was to bring the estimated Income of the country up to the estimated Expenditure of the country. With regard to moderation of Estimates I will say nothing, except that I observe the Estimates of the present Administration have come pretty close upon the results; the receipts have not been as liberally estimated as they were upon the whole in former times. But I do not make that a matter of charge, because it is possible that it may be due to circumstances affecting all Estimates. But as to making full Estimates of charges, which are even more important than making moderate Estimates of Revenue, I have shown that the present Government have created fictitious surpluses, and sent forth large letters of credit to the country by excluding from their balances altogether charges that they found inconvenient, and that would show them standing in a prospective deficit, or that would impose upon them the laying of new taxes that would be unpopular. Sir Robert Peel's principle was this—that by those modes of handling Expenditure and charge he hoped to secure in bad years an equilibrium, and to secure in good years a large or considerable surplus. Subject to these rules, his principle was to give away the balance of a surplus when he had it to dispose of, and to give it honestly; but the present Government invent an abstract doctrine against the giving away of surpluses. I want to know whether, tested by results, these principles of Sir Robert Peel were not sound principles; whether they did not result in a considerable reduction of the national burden and in a great diminution of the National Debt, and in maintaining the confidence of the country in the modes of its financial administration? Then Sir Robert Peel's principle, above all, was that which appears to me to have been entirely forgotten—namely, to make a fair balance between the charges and the Expenditure. He likewise sought to do something else which we do not hear mentioned now. Of course, in the experience of a country of this kind, it will necessarily happen that new wants will emerge. Well, whenever a new want emerges, we immediately hear of a new charge accompanying it. But in better times than these, both under a Liberal and Conservative Government, there was a constant study to meet those new wants and the charges they entailed by abolishing charges that were unnecessary, and by careful, strict, unceasing vigilance, getting rid of them. There were multitudes of new wants for which provision was made between the time of the Reform Act and the Crimean War; and all those new wants were met without increasing the general Expenditure of the country. Those were the principles on which our finance used to be administered. Those were doctrines opposite to the doctrines of my right hon. Friend. It is impossible to conceive two modes more widely at variance. They are not only distinct from one another, but they are contradictory to one another. The wit and ingenuity of man cannot reconcile them. We know what the result of one of them has been. The application or endeavour to apply the former system resulted in the disappearance of the late Government, for which Government I claim no credit whatever, beyond the desire to act in consistency with the sound precedents and rules which were handed down to them by their Predecessors. But since that time the whole of this system has been turned inside out and upside down. We have lived into a region of new ideas. We have a new code of rules laid down for us. It is the duty of Members of this House to endeavour to bring these matters clearly and fully to the knowledge of Parliament and the country. It will be the duty of Parliament, in the first instance, to decide upon them, and of the country in the last and final issue. I hope that those who take such dark views as I do of recent proceedings will miss no effort to cause these matters to be fully and thoroughly understood. If the country approves this financial revolution that, as I have shown by hard facts and figures, is in progress, the country is its own master, and can return again a Parliament like-minded with the present to perpetuate an Administration under which we enjoy such bounteous store of financial as well as other blessings. From my point of view, the matter is a very different one. I do not undertake to predict what this Parliament will do, or what the nation will do in considering its own interest, and in making provision for its own fortunes; but, unless I am mistaken, the doctrines that are now promulgated on the part of the Government are financial delusions; and, if so they be, I can only say I am convinced of this — that the longer they last, the more complete sway they obtain for a time under the administration and influence of the Party opposite, the sharper will be the re-action when it comes, the more complete the reversal of your momentary triumph, and the more severe the retribution politically inflicted upon the Party that has invented these erroneous doctrines, and that has too fatally carried them into effect.

Mr. HERMON remarked, that the right hon. Member for Greenwich (Mr. Gladstone) had spoken with a gravity which contrasted strongly with the levity and the off-hand manner of the Mover of the Resolution; and it might be fairly assumed that every objection which could be taken to the financial proposals of the Government had been fully stated by the right hon. Gentleman. The hon. Member for Burnley (Mr. Rylands), when he indiscriminately assailed everything that had been done by the Government, and sought to excite merriment in the House, was really "bubbling" the political Friends who sat near him. The question before the House was a very grave one; and if an adverse vote were come to that night, the result would not only be serious to the Government, but would inflict still further injury on the country. The Resolution began by expressing regret at the increase in the public Expenditure. They all agreed in that sentiment. The right hon. Member for Greenwich had not condemned the increased Expenditure itself, so much as the absence of a provision for meeting it. Now, the question was, whether that Expenditure had been necessary, and whether it had not been necessitated, to a certain extent, by the action of the House? He knew not whether the estimated Expenditure for the present year would be exceeded or not; but the injudicious speeches made in that House, and out of it, by men on both sides, might have the effect of creating circumstances which no estimate could contemplate. During the Russo-Turkish War the inflammatory speeches delivered in this country produced an Expenditure from which we were now suffering. Those speeches, to a considerable extent, paralyzed the action of the Government; and he believed that had Her Majesty's Ministers, at the time of the struggle at Plevna or before the crossing of the Balkans by the Russians, acted in a firm and decided manner, this country would have been relieved from a great amount of anxiety as well as of expense. He thought, however, that the Government had now only provided that degree of assurance for the interests of the nation which was needed in time of desperate trouble. Of the £6,500,000 which had been added to the Expenditure since 1874-5, £1,500,000 was due to the increase on the Vote for Education. That and other items were necessitated by the Acts passed by Parliament itself. Looking to the unsettled state of things all over the world, he regarded it as a matter of congratulation that a Conservative Government had preserved this country from a costly and terrible European war. As to the Zulu War, it had been shown that the Government were not responsible—in fact, that it had been commenced contrary to the express instructions of the Colonial Office. Hon. Members who complained of the increased Expenditure ought to watch the Bills which passed through the House. They had had measures brought forward with regard to prisons, lunacy, and the police; and now there was before the House an Ancient Monuments Bill which, he believed, would entail on the public a new charge of between £200,000 and £300,000 a-year. The Trade Marks Act, and all sorts of Acts, were passed with the idea that they would benefit the commercial community; but, as a member of that class himself, he said that the less Parliament interfered with it by legislation the more thankful it would be. Of the four Resolutions placed upon the Paper by the hon. Member for Burnley, only one was to be pressed to a division, and that was the very one with which all the House could agree, because they must all regret the great increase in the Expenditure of the country, as they might regret an unavoidable increase in their own expenditure. The right hon. Member for Montrose (Mr. Baxter) had alluded to commercial distress and the failure of banks. But so far as the Eastern trade was concerned, he would say advisedly that those who had failed deserved all they had got. They had been bolstered up by banks, and so a fictitious trade was supported which was not creditable to the country. The causes of the existing depression were to be found in the four bad harvests we had experienced at home, and the two severe famines in our Dependencies. Moreover, foreign competition was telling upon our trade, although he believed that our innate energy would enable us to compete successfully with the foreigners eventually. Other sources of depression were to be found in our extravagant mode of living, and in the non-payment of dividends upon foreign loans. The Press of this country had adopted the course of decrying our own productions, which must have a deleterious effect upon our trade. The wages dispute had also conduced to the present depression. He believed that all these were causes which had not been put in operation from any action of the Government. He regarded the Resolution of the hon. Member for Burnley as a Party device, constructed for the purpose of catching votes; and he therefore should deem it his duty to give the Government his best support.

Mr. RATHBONE: I had not intended to take part in this debate until the right hon. Gentleman the First Lord of the Admiralty attempted—I think unsuccessfully—to explain away the serious warning given by my right hon. Friend the Member for Montrose; but I think it most important, in the interest of our commerce and manufactures, that there should be no mistake as to the very serious position in which this country is now placed, and the absolute necessity that she should have full command of her resources and energies, if she is to extricate herself from the difficulties which threaten her commercial and manufacturing power. To show that I am expressing no hastily-formed opinion on this point, I may refer to a most unpalatable warning which I felt it my duty to give, more than two years ago, to the working men of Liverpool, that a period of great difficulty to this country was approaching, which would severely strain the resources of all classes of the community; and a year and a-half ago I repeated the same warning to the commercial classes in the columns of *The Economist.* The numerous communications which I received in consequence of the letter last alluded to, and all that has occurred since, have tended to strengthen my opinion that the present crisis in the affairs of England is not merely an ordinary ebb from the ordinary flow of commercial and manufacturing prosperity, such as has occurred every 10 years or so, but is of a more serious character. The long duration of the present distress, the way in which it is not confined to our country only, but is extended to most countries throughout the world, alone would show that it is not merely one of those periodical crises to which we are accustomed. The fact is, that this country has now to face a fierce competition for her commercial and manufacturing preponderance with other nations, who have learned from her to be free, and are, with the energy which freedom gives, fiercely competing with us for the commerce and manufactures of which we once had a preponderance almost amounting to monopoly. Some experienced manufacturers and merchants fear that our material prosperity has culminated, and that we must resign our pre-eminence. But I agree with my right hon. Friend the Member for Montrose that this is no case for despair, for hopeless folding of our hands, and resigning to other nations that proud position which the energies of our forefathers and our own have gained for us in the commerce of the world. But I do not hesitate to say that success in the struggle is impossible unless this country is allowed to do what France is doing, what Germany is doing, what America is doing—to devote its resources, unwasted by war, and the extravagant expenditure which war creates; and, what is still more important, is allowed to bring to the task before it the whole of her energies, undissipated by political uncertainty and excitement. Meanwhile, I think the Government takes far too sanguine a view of the present state of affairs. It is quite possible that the extreme abundance of money, the consequence of mercantile distrust, may find vent in an outburst of speculation, which may, for a time, give us the appearance of fictitious prosperity, only to be followed by re-action. With the purchasing power of our exports diminishing in six years by £58,000,000, while the expenditure of the country and its consumption has only slightly diminished, it will require a period of economy and retrenchment which will not give the Chancellor of the Exchequer abundant means, and it will require a period of concentrated energy and exertion to become again prosperous. Now, the First Lord of the Admiralty said that he failed to see that the Government were responsible for the present distress. I have never held—and I believe no one on this side of the House holds—the Government responsible for causes which have originated the present distress, any more than the captain of a ship is responsible for the storm which overtakes his ship in mid-ocean. But the captain is responsible if in such a storm he so handle the ship as to increase beyond endurance the strain upon her, or if he so acts as to divert the energy and attention of her crew from the measures necessary for her safety. That is just what we accuse the present Government of having done; and we do, and shall, hold them responsible before the country for continuing to do so by their restless and weak foreign policy. We complain that at a time when our commercial and manufacturing rivals — especially France, America, and Germany—are in the most determined manner refusing to increase the troubles which oppress their people by adding to them those of foreign complications and expenditure on foreign wars—at a time when economy and the example of economy is so needed—our Government is allowing us to be plunged in all kinds of foreign complications, involving warlike expenditure, preventing national progress, and, by the uncertainty which such a state of things produces, discouraging commercial enterprize, of which quiet and security are the very soul. But the evil effects of the present course of the Government are much more serious than any question of waste of the pecuniary resources of this country. The wealth of this country is so great that it might survive extravagance of that sort; but what our prosperity cannot survive is that at a period like the present, when, I repeat, it will take all our energies to maintain our position, that the energy, and the inventive power, and the enterprize in improving machinery and economizing labour in every way, should be discouraged and prevented, by men's minds being taken off their own business by the excitement of war, the fear of war, or the sort of feeling that nobody knows at any moment what may happen next. In times of excitement people carry on their business from day to day, as they are obliged to do; but they do not improve, they do not invent, they do not economize as they would if their whole attention were concentrated on their own business, as it ought to be, for the salvation of the country at the present moment. The First Lord of the Admiralty denies that the Liberal Party value peace, economy, and reform more than he and his Colleagues do; and no one who knows them will doubt that he, and the Chancellor of the Exchequer, and the Home Secretary, and probably the majority of their Colleagues, cannot view with approbation or indifference the present state of things; but so far from that relieving them from responsibility, it intensifies it, while they allow their less prudent Colleagues to pass the word *l'audace toujours l'audace*, and thus convey to restless and ambitious spirits in every part of our Dominion the understanding that a disturbing and aggressive policy would be approved of, or, at least, condoned. To conclude, then; we do, and must, hold the Government responsible for having by their policy made it almost impossible for the country to recover from its present distress, or to hold its own in the fierce struggle in which she is now engaged with other nations for the maintenance of her commercial and industrial position; and we complain bitterly that they have imposed these risks and sacrifices on the nation for no great cause of freedom and justice, but in undertakings which we consider unnecessary, and, therefore, unwise and unrighteous.

Mr. PELL denied that the policy of the Government had in any way tended to bring about the depression which at present affected agriculture, and which seriously affected the landed interest. The profit of the agriculturist in ordinary years was probably about £34,000,000 annually, and the Income Tax Return under Schedule B agreed with that conjecture, the assessment under that Schedule amounting to £69,000,000, half of which sum might be taken as the measure of tenants' profit. If so high an authority as Mr. Caird gave figures, from which it could be deduced that three bad seasons in everything except barley gave a loss of £21,000,000 out of the £34,000,000 of profit, it might be fairly said that the depressed condition of agriculture could not be traced to the policy of the Government. The Government had very properly been firm on the question of Free Trade; but suppose they had desired to make matters better for the farmers, they might have wavered as to Free Trade, and made concessions. Prices might have been driven up for a time, and then they would have had a Motion, not like the present one, but condemning the Government for having departed from the principle of Free Trade. There had been some confusion in the debate caused by hon. Members arguing from different sets of figures. He wished to point out that the figures in the Estimates which were really due to the policy of the Government, were not as large as they were said to be by some hon. Members. Let them take the heads of police, lunatics, prisons, rates upon Government property, and registration. The total grants under those heads were nearly two millions and a-quarter — namely, £2,220,000. But the whole of that sum could not be attributed to fresh policy on the part of the Government, a great deal of it being due to the policy of the previous Government. About £380,000 out of the £2,220,000 could be referred to the policy of the late Government. Political capital had been attempted to be made in support of the Resolutions before the House from the large sum annually granted out of Imperial funds in aid of local taxation; but it seemed to be forgotten that almost half of the annual £5,000,000 so granted—for instance, the grants in aid of the Metropolitan Police, the Poor Law auditors, the Irish Police, and valuations and prisons in the United Kingdom—was as much under the control of the Central Government as were the sums granted for the maintenance of the Army and Navy. Again, it was said that in the grants in aid of local taxation the rural districts were more highly favoured than the towns and boroughs. Nothing was more unfounded. In 1872 Liverpool got £12,000 in aid of its police, it now got £38,400; in 1872 Manchester got £12,500, and in 1876-7 it got very nearly three times that amount; in 1871 Birmingham received £6,500 in respect of its police, and in 1876 it got £19,000. This showed that the counties had not been benefited at the expense of the towns. The Government had been called to account for its Expenditure by hon. Members sitting below the Gangway; but the House had shown by its votes that it was satisfied that that Expenditure had been called for. He thought the Leaders of the Opposition had hardly been wise in giving their support to the Resolution before the House. This Government had received such marked support from many hon. Members of the Opposition, on various occasions when their foreign policy was called in question, that they had a right to expect the votes of those hon. Gentlemen to-night, when they came to count the cost. Coming down for a moment from Imperial to local expenditure, he would ask the attention of the House to a few figures, premising that exceptional causes which had led to an increase in the one case, might have been at work as far as the other was concerned, and that he simply wished to draw attention to the comparative increase in the two cases of Imperial and local expenditure. In 1871-2 the expenditure of Liverpool was £440,000; at the present time it was £1,196,000. [Mr. Rathbone: Under Conservative government.] In Manchester, within the same period, it had increased from £600,000 to £1,157,000, which ought to be enough to appal the citizens of Manchester; while in Birmingham it had increased from £201,000 to close upon £2,000,000. The same thing was observable in the smaller boroughs, as in Warrington, for instance, where there had been an increase from £22,000 to £36,000. Hon. Members opposite seemed to be above considering such trifling matters as local expenditure. He wished next to refer to rather a startling document which had been issued with regard to the expenditure on education.

Mr. GOURLEY rose to Order. Was it relevant to refer to questions of local taxation in a discussion on Imperial taxation?

Mr. SPEAKER: I think that the remarks of the hon. Member for Leicestershire are relevant. He desires to show that both Imperial and local taxation are increasing.

Mr. PELL said, he was not going into the general expenditure as to education. He was going to refer to only one item—that respecting the teaching of singing in elementary schools. The grant for that accomplishment was £120,000. Why, that was the third part of the cost of a handsome iron-clad. To return to the Resolutions of the hon. Member for Burnley (Mr. Rylands). It was alleged in those Resolutions that the action and policy of the Government had tended to produce pauperism and crime. He was not going to trouble the House with statistics as to crime; but with regard to pauperism he could show that the hon. Member for Burnley was utterly wrong.

In 1872, at the time the country enjoyed the advantage of a Liberal Government—when trade was at its very best and the country was in the highest state of prosperity—in every 1,000 of the population there were 42 paupers. What was the condition of affairs now, after three years of bad harvest—1875, 1876, 1877—and when trade was bad, not only all over this country, but throughout the world? The pauperism of the country had fallen in 1878-9 to 29 in 1,000. The hon. Member for Burnley was inconsiderate and unfair in drawing up the 3rd paragraph of his Resolutions; but, perhaps, he proceeded on the principle that if he only threw mud enough some of it would stick. He could, however, give another instance of the consequences of a Conservative Government. In 1872 the balance due to depositors in the savings bank at Leicester was £207,000. One would naturally expect, judging from the arguments used, that under the present Administration that balance would have gone from bad to worse; but, so far from that being the case, in 1878 the balance had been £317,000. There was still one more monstrous proposition brought forward by the hon. Member for Burnley. It was, that immediate steps should be taken to reduce the Expenditure. Possibly the hon. Gentleman was acting in concert with the hon. Member for Stoke-upon-Trent (Dr. Kenealy), who proposed to do away with a standing Army altogether—at any rate, that was a practical proposal for carrying out the idea. He considered that the country owed a great debt to the Government for its policy of economy. When hon. Members talked of Ministers obtaining "peace and honour upon tick," it should be remembered that education was obtained on tick, drainage was obtained on tick, and everything that he could see was done in the way of local taxation was done on tick. He might say, in conclusion, that, so far as he was concerned, he believed the Government policy had direct regard to economy; and, as such, he was prepared to support it.

Mr. MITCHELL HENRY said, three questions had presented themselves in the course of the debate which demanded serious consideration. First, was the country able to support the present Expenditure? second, did it get value for its money? third, was the taxation imposed upon the people for the purpose of raising the large Revenue required equitably and fairly imposed? It appeared to him that the figures, as formulated by financiers on both sides of the House, were calculated to have the effect of bamboozling those who had listened to them, for the reason that hon. Members who had spoken had taken entirely different data for their comparisons. The right hon. Gentleman the Member for the City of London (Mr. Goschen) had compared the four years, 1871 to 1874, with the four years, 1874 to 1878; and, having averaged the Expenditure of those periods, had arrived at the conclusion that in the first four years it amounted, as nearly as possible, to £70,000,000, and that in the second it had risen to £80,500,000. The right hon. Gentleman the First Lord of the Admiralty had, on the other hand, made a different calculation, and had taken the year 1874 solely, and compared it with the present year, with the result, according to his statement, that the Expenditure for the former year was about £72,500,000, and for the latter £80,650,000. According, therefore, to the right hon. Gentleman the Member for the City of London, the Expenditure now had increased by the sum of £10,000,000; while, according to the admission of the First Lord of the Admiralty, it had increased by the sum of about £8,150,000. He (Mr. Mitchell Henry) was not going to speak as the advocate of either of these comparisons; but wished simply to take a plain and dispassionate view, as far as he could, of the subject before the House. It appeared to him, then, that the right hon. Gentleman (Mr. W. H. Smith), who spoke on the first night of the debate, had clearly shown that a considerable portion of the extraordinary Expenditure had gone to reduce the National Debt; further, there could be no doubt that a very considerable portion of it had gone in subventions to local authorities—a policy which, although it had been endorsed by the House, was, in his opinion, a very bad one. It was, however, financially a wise policy, according to the defence of the hon. Member for Leicestershire (Mr. Pell), who had, moreover, stated that the money was not given to the local authorities, but was nationally administered by the Government. That was perfectly true;

but to say that it was not a subvention to the local rates, was to take up a position which was altogether untenable. Allusion had also been made to the floating Debt, which was stated to have increased from £4,500,000 to £21,000,000; but of that sum £16,000,000 had been spent upon enormous works for the purpose of local improvements. He would very much like to know what the hon. Member for Birmingham (Mr. Chamberlain) would say if the House suddenly refused to continue these loans? The contention, indeed, of some hon. Members was that greater facilities should be given for borrowing and longer time allowed for re-payment. It, therefore, seemed to him that many of the complaints with regard to this portion of the Expenditure had been unfairly made. Another strong objection had been taken to the pretended loan of £2,000,000 to India, with regard to which he would only say that he trusted it would not be taken as expenditure for local purposes certain to be recouped, for that money, in his opinion, would never be seen again. The right hon. Gentleman the First Lord of the Admiralty had shown, as he (Mr. Mitchell Henry) believed, in a very plain way, that the actual Expenditure of the country, after allowance had been made for that portion of it which was not raised by taxation, amounted to between £68,000,000 and £70,000,000 sterling. Was that Expenditure larger than the country could bear? Ten or 12 years ago, the annual income of the country had been calculated by Mr. Leoni Levy at £800,000,000; and at the present time, according to the right hon. Gentleman the Member for Greenwich, it had risen to £1,000,000,000 sterling. The Expenditure of the country, therefore, amounted to more than 1-15th of the national income. Was that proportion equitable and right? He (Mr. Mitchell Henry) believed that at that moment, seeing that the income of the country was diminishing to an enormous extent, the Expenditure was more than the country could afford. The hon. Member for Leicestershire had shown, in his undoubtedly truthful account, what an enormous sum of money had been swept away from the agricultural interest by bad harvests and inclement seasons. Again, it had been calculated that £100,000,000 to £150,000,000 sterling had been thrown into the sea, so to speak, by capitalists who had lent money to foreign States; and here he would take the opportunity of stating one of his great objections to the policy of the Government, which was that they had not maintained the traditional policy of the country by refusing to assist persons who had invested their money in foreign loans, but had, on the contrary, inflicted untold misery upon the people of Egypt, the most wretched people on the face of the earth, in order to enable the holders of Egyptian Bonds to obtain an unrighteous rate of interest. Upon that point, therefore, he expressed one of his strongest objections to the policy of the present Government. He now asked the question, did the country get value for the money expended? Besides the £17,000,000 spent upon the Indian Army, £16,500,000 were spent upon our own Army, which we were informed was in a very satisfactory position. But was it true that the administration of the Army was satisfactory? In our recent emergency, when we required to send out a certain number of troops to South Africa, with what difficulty had that 6,000 or 8,000 men been got together! He had, indeed, thought, when the late scheme of Army reform was inaugurated, that we should, at all events, have had one Army Corps always fit to go anywhere for whatever purpose it might be required; and that when we wanted to get together a number of men, small as compared with Continental Armies, we should not have to move heaven and earth to make it up by drafts from different regiments, composed, for the most part, of boys. To say that for this expenditure of £16,500,000 we had an Army satisfactory to the country, that would enable us to enter upon a Continental war in case of need, would be to deceive both the country and the House. Questions were continually cropping up with respect to the administration of the Army, and particularly with regard to the soundness of its condition. Take that of the Ammunition, or of the Artillery. We had debated, year after year, whether we should have breech-loading ordnance or not; and after we had fully made up our minds to adopt the muzzle-loading system, a little more experience had shown us that, in all probability, we were wrong; indeed, we had from the first been told this by persons of the highest authority on the subject. Then there was the question of range-finders, and on that point hon. Members should read the letters of General Wray, showing the advantage to be derived from their use. But they had not been adopted; and hon. Members would see, by accounts in the public Press, that our arms of precision produced effects very small in comparison with what was expected. For his own part, certainly he did not believe, that with respect to our Army, we received anything like the value of money expended upon it. The same with the Navy. The right hon. Gentleman the First Lord of the Admiralty, at a banquet now become historical, which was given the other day in the Metropolis, and to which the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had just alluded, had boastfully quoted a calculation, made that very day, that we had sent that body of 6,000 or 8,000 troops 7,000 miles across the sea entirely by the aid of the Department over which he presided. Was there ever a more unfounded boast? The vessels employed were merchant ships, which had grown to the magnitude that had now been attained by a course totally opposed to the policy of the present Government—that was to say by the arts of peace, and not by the arts of war. Nevertheless, whenever war was indulged in by us, we had to resort to those very ships, which had been now for some time out of employment. But it was perfectly well known that many of the ships so employed on the last occasion were old, and that they consumed an enormously large quantity of coal; while there were ships lying in our Docks which could have performed the service required of them much better, and without touching at Madeira or anywhere else. However, the Admiralty did not choose to engage them; and on that point he could not help making the remark, that the Government had been penny wise and pound foolish, for had they taken up those ships which consumed a small quantity of coal, although they might have paid a little more for them, they would have had their Army disembarked at the Cape a week or 10 days earlier than it was. Her Majesty's ships of war had had very little indeed to do with the transport of the troops; merchant ships alone had been employed. The next question upon which he desired to make some observations was this—Was the taxation of the country fairly distributed—that was to say, did it fall in an equitable manner upon different classes and portions of the people? To that question he was compelled to answer—No. He believed that the incidence of taxation was most unfair towards the different classes of the people, and especially so with regard to the three portions of the United Kingdom. We were raising an enormous amount of taxation by the Excise duties, which were an unfair substitute for the land charge paid to the Crown in the time of Charles II. That charge had been imposed upon the great masses of the people in the shape of Excise duties, and had ever since been fructifying in the pockets of the landowners. Then, as regarded the probate and succession duty—Could there be anything more unfair than the exemption of real property from this tax? That was another instance of the unfair way in which the taxation of the country was raised at the expense of the great mass of the people. Now, with reference to the three portions of the Kingdom. The promise had been made to Ireland, at the time of the Union, that the taxation should be raised in proportion to the financial ability of the two countries; that meant, that it should be raised in proportion to their respective incomes; but, instead of that promise being fulfilled, taxation had been equalized, with the result that in Ireland every man paid 3*s.* in the pound of his income; whereas in England a man would escape for 1*s.* 8*d.* That state of things had been brought about by the Liberal Government, which, in the year 1859, equalized the spirit duties for the three portions of the Kingdom, making them 10*s.* per gallon all round. As they had been previously much lower in Ireland, the greatest possible injustice had been perpetuated by that Act; and he would make that fact perfectly clear to hon. Members in a few moments. From the year 1870 to the year 1878, the spirit duties had yielded £123,500,000 sterling, of which sum England had paid £52,500,000; Scotland £37,000,000; and Ireland £33,779,000. Now, had this tax been raised from the three portions of the Kingdom fairly, England, having a population of six and a-half times that of Scotland, would have paid £90,000,000, and Scotland about £13,500,000. Again, the population of Ireland being

4,500,000 in proportion to 28,000,000 in England, Ireland would have paid about £20,000,000 in place of the £33,779,000 contributed since the year 1870, and the charge would not have fallen upon her with such crushing force. A most unequal burden had, therefore, been imposed upon the Scotch and Irish peoples, as compared with that of England. Now, with respect to beer. What we taxed in spirituous liquors was the alcohol which they contained; that was the basis on which we regulated the Customs duties on wine. He (Mr. Mitchell Henry) said that the same test should be applied to all the other alcoholic liquors, his view being that alcohol should be taxed "wherever you could catch it." But, at the present time, the amount of alcohol contained in beer paid only 1*s.* 8*d.* a gallon, while the alcohol contained in whisky paid at the rate of 10*s.* a gallon. He was speaking of beer of Bass's strength; but of course, in the case of fourpenny ale, the ordinary drink in England, the disproportion would not be so great, but it was, nevertheless, considerable. Hon. Members would say that people were not bound to drink whisky; truly, they might drink beer: but in Ireland and Scotland they could not get it. To say that the spirit duty was not a tax upon individuals living in those two countries, was to say what was evidently untrue. If you were to put a tax upon people going to mass, upon whom would that tax fall? Of course, on the Irish people who went to mass; it would not touch the English people. If you said the Irish people need not go to mass, you would use the same kind of argument as you did when you said that they might drink beer, like Englishmen. The Chancellor of the Exchequer should do something to remedy these inequalities, which would not be a difficult matter. An immense portion of the national income was derived from taxes on alcoholic liquors. According to his calculation, it was now £33,000,000 a-year. There was £5,500,000 on wine; £4,000,000 on beer; brewers' and maltsters' licences, refreshment licences, and British wines, £7,500,000; and £15,000,000 spirit Duty. He asked the House why they should restrict themselves to that £33,000,000? Why should they not raise £50,000,000 from alcoholic liquors? To do that, it would only be necessary to approximate the duty on the alcohol contained in beer to that on spirits. That change would hardly be felt by the consumer; while the great object of taxation would be obtained by the great masses of the people contributing their fair share of the amount raised, which, as he had said before, would be £50,000,000. The course suggested would enable the Government to abolish all the other Customs duties; and they would, moreover, get rid entirely of the whole army of Custom House officers. The duties at present levied at the Custom House on tea, coffee, and dried fruits could be abolished, as well as those upon tobacco and snuff, together with licences, the railway tax, and, above all, one of the most abominable taxes in the world—the inhabited house duty. If the right hon. Gentleman would adopt his (Mr. Mitchell Henry's) suggestion, he would then be able to equalize, not perhaps entirely the legacy, succession, and probate duties, which would then produce £8,000,000, instead of the present £6,000,000. Let him keep the Income Tax at £5,000,000, because that tax fell upon the upper classes. He would have his Revenue from the Post Office and Telegraphs, the Land Tax of about £1,250,000, Crown Lands producing about £500,000, and Miscellaneous Items of £4,000,000. By that simple mode of imposing a just and fair taxation upon alcoholic beverages, a Revenue of £80,000,000 would be provided. That anybody should confess the desire of promoting the temperance of the people, and yet retain the duties upon tea and coffee, seemed to him a complete contradiction. Those articles of consumption had, in the rural districts, become the necessaries of the poor man; the meanest labourer took with him the tea which was to sustain him during the labour of the day. And yet we had put a duty on tea to the extent of 100 per cent of its value; and in raising that £5,000,000 we made the consumer pay very nearly double, because the duties were not paid by the people in the same way as they were charged at the Custom House. If hon. Members would give their attention to the subject they would see that this was one of the great questions of the day. The present system of levying spirit duty pressed most unjustly upon the people both of Scotland

and Ireland, while the English consumer of beer escaped the taxation. Seeing, then, the increase in the national Expenditure brought the country no good, he believed that it would be deeply regretted by the House. If the Government had increased the Expenditure for the purpose of carrying out their spirited foreign policy, he must say that they had miserably failed to attain their object. Did anyone doubt that the attempt to keep separate the two Bulgarias would fail, in the same way as the attempt to keep the Austrians in Italy had failed? Could anybody suppose that the Turkish Army would for all time prevent the inhabitants of those two countries from uniting? Could it be supposed that a mixed occupation, although it might defer that union, could eventually keep asunder people of the same race and of the same religion? Could it be supposed, again, that we could for all time continue to wring from the Egyptian peasant the dreadful amount of taxation necessary to pay off the Egyptian Bonds? And, lastly, could hon. Members believe that we could maintain the enormous expanse of Empire, either in Afghanistan or Natal even, by this increase in the national Expenditure of £10,000,000 in the course of four years? All those questions merited the most earnest consideration from the House. He would only add, in conclusion, that he should certainly vote for the Resolution of the hon. Member for Burnley, upon which a division was about to be taken.

Mr. BALFOUR believed that no Resolution had ever embraced so large a number of topics as that which they were discussing. The debate, which had begun in a comic and even a burlesque manner, had been continued by the right hon. Member for Montrose (Mr. Baxter) in a spirit of the deepest tragedy. The Treaty of Berlin, the Afghan War, and the Zulu War, had been discussed; and now, in the speech of the hon. Member who had just sat down, their attention had been also directed to the wrongs of Scotland and of Ireland, and to the incidence of the spirit duties. For his own part, he proposed to deal with a less number of topics and to occupy a shorter space of time. He would not go into questions of mere figures, however important they might be; but he wished to consider the financial expedient of not raising all the Supplies required within the year in which they were appropriated. The argument of the Government was, of course, that the requirements of the year were of an exceptional character. Not only was there a Colonial war and an Indian war, but Europe, also, was in a disturbed condition; while at home our trade was depressed, and we had not yet recovered from an extraordinary series of bad harvests. It was, therefore, only natural for the Chancellor of the Exchequer to treat the circumstances of the country as exceptional, and to believe that Expenditure incurred at such a time ought to be repaid gradually from the Income of years of normal prosperity. The right hon. Gentleman the Member for Greenwich had spoken of the financial expedient of the Chancellor of the Exchequer as a thing which was contrary to all financial precedent, and stated that Sir Robert Peel and other authorities would have acted differently; but there was precisely the same ground for deferring payment as there ever had been for raising a loan. The sole ground for raising a loan was that there had arisen within the year certain necessities which it was expedient to spread over more than one year. It was impossible to say there was no precedent for spreading exceptional Expenditure over unexceptional years. Hon. Members opposite had argued that we ought not to pursue any foreign policy without making the public feel the cost they were paying. There was nothing that hon. Members opposite professed to desire more than to take the opinion of the country on the foreign policy of the Government; but did they seriously think that the people of this country, if they were intelligent enough to form an opinion on complicated questions of foreign policy, were not, at the same time, sufficiently intelligent to see that it was impossible to pursue an active foreign policy, good or bad, without having to pay for it? It had constantly been alleged that the Expenditure of the Government was incurred for warlike purposes; but most of those who reflected on the old saying would readily perceive that whatever was spent on preparation had the effect, not of provoking, but of preventing war. The policy of the Government having been successful, it had relieved the country of the heavy cost and responsibilities which a state of war would have involved. The 3rd Resolution appeared to him extraordinarily absurd. Not only had it been shown by hon. Gentlemen that pauperism and crime had not increased, but the present taxation of the country could not possibly press upon the springs of industry. The truth was that the allegation contained in the 3rd Resolution of the hon. Member for Burnley was a relic of the time when taxation did affect the industry of the country. There was a time when raw material, when products, when the necessaries of life were taxed, and then taxation did press upon the springs and resources of the country; but at the present moment, though taxation, no doubt, demanded sacrifices from the people of the country in some shape or other, he ventured to assert that there was not a single loom unworked, or a single furnace unused, or a single acre untilled, on account of taxation. His real objection, however, to the present Resolution was that no Party could adopt it without committing themselves to a policy of unconditional retrenchment. And what were they going to retrench? As the right hon. Gentleman the First Lord of the Admiralty had shown, a large part of the increase in the Expenditure since 1874 had been automatic—that was to say, it was the result of measures passed independently of the present Government. It followed, then, that if they were going to reduce the Expenditure to the point at which it was in 1874, they must cut down the Army and Navy; and, what was more, cut them down below the point at which they were in 1873, inasmuch as other expenditure had increased, and thus either reduce the Public Service to a dangerously inefficient state, or else stultify their whole policy previous to their leaving Office. They had heard a good deal about reckless expenditure; but there was such a thing as reckless retrenchment, which meant the gaining of temporary popularity at the expense of the permanent inefficiency of the Army and Navy. Supposing this reckless retrenchment having been effected, their diplomacy failed in their foreign relations—and they might depend upon it that foreign nations, seeing this country disarming, would misinterpret its motives, as they had always done, and believe it would consent to anything rather than go to war—in what condition would they find themselves? The people of this country, he was convinced, would not tamely submit to a rebuff. If their objects could not be gained by diplomacy, they would insist upon having recourse to forcible measures; and among the least of the evils of going to war unprepared would be a large increase in the national burdens.

MR. MUNDELLA said, the speech of the hon. Member for Hertford (Mr. Balfour) afforded a great contrast to every other speech which had been made on the Ministerial side of the House. Everyone would admit that the hon. Member was wanting neither in courage nor in candour. He had, at any rate, the courage of his opinions, and he maintained, in all its force, the efficacy of the large Expenditure which had been contracted by the Government, and did not attempt for one moment to summarize it or explain it. The House ought to be thankful to him for the boldness with which he had avowed his opinions; and from what the hon. Member had stated he gathered that he was quite prepared to go still further in the same direction. The hon. Gentleman not only justified the Expenditure, but he justified the mode in which the Chancellor of the Exchequer proposed to deal with the present condition of national finance. He asked what would any financier do but extend the deficit over exceptional years? But after listening to the speech of the hon. Member, he wanted to know when they were to come to the end of exceptional years. Had they concluded the exceptional years? Were they entering on a period of tranquillity? Did the speech of the hon. Member indicate that they had arrived at that tranquil period when they might diminish their Expenditure and begin paying off their deficiency? It was quite evident that we were at this moment, judging of what had been said in regard to Europe, Asia, and Africa, in a condition of exceptional Expenditure, and this year and next year would be years of exceptional Expenditure. So matters would go on until they had a large deficit, when it would become necessary to find means to meet it. The right hon. Gentleman the Member for Greenwich had shown the vast Expenditure arising out of the

Forces, and the Chancellor of the Exchequer knew that this exceptional Expenditure pressed heavily on the country. What was the line which the First Lord of the Admiralty took in addressing his constituents in February last? He said, in making a statement of the comparative taxation of this and other countries—

> "We are told sometimes that the people of this country are excessively taxed, that the burden of taxation is intolerable, and that our trades must suffer, because we cannot provide as economically as France or America. The taxation of all kinds in this country is £100,000,000, in the United States it was £100,000,000, and in France £120,000,000."

The inference was that the working people of this country were the most lightly-taxed people of any people in the world. It was true France was taxed £20,000,000 more; but she had 4,000,000 of population more than England, and had suffered from 20 years of Imperialism, followed by a disastrous war. They had not, fortunately, as yet arrived at that result. But with respect to America, how did the right hon. Gentleman's statement stand? The Americans were 10,000,000 more in number; and he should like to ask the Chancellor of the Exchequer whether he was satisfied in his own mind with the progress we were making in the payment of our Debt compared with the progress made by America? It was a fact, however, that the Americans were taxed 25 per cent less than we, inasmuch as the population was 25 per cent more. The one thing they were told in which there was scope for reduction was the Education Estimates. Here a good deal was said about extravagance. Almost every hon. Member on the Ministerial side of the House complained of the extra £1,500,000 which had been spent in sweeping away the ignorance of the country, and fitting our people to compete with the rest of the world. The Government, after spending £85,000,000 last year, grumbled at the paltry sum which had been spent on education. It was a disgraceful thing to talk about the Education Expenditure.

Mr. PELL said, he did not complain of the sum devoted to educational purpurposes, but of the sum—namely, £120,000—spent on singing.

Mr. MUNDELLA said he accepted the explanation; but that was not what the First Lord of the Admiralty had said. The fact was, they had better "sing small" on that subject. He was bound to say that almost every hon. Member on the other side of the House endeavoured to explain away the large increase in the Expenditure of the last five years, and very ingenious had been some of the arguments. One hon. Member tried to prove that the £500,000 squeezed out of the tobacco duty came out of the pockets of the manufacturers. He (Mr. Mundella) knew that nobody paid more than the consumers, because they not only paid an extra farthing on the ounce but got an infinitely worse article than before. They now smoked stuff which was simply poison. Another hon. Member got up to prove that in the time of the previous Government the receipts of the Revenue were £2 8*s.* 2*d.* per head, and in 1878 were only £2 7*s.* 10*d.*, and he quite satisfied himself, and probably some hon. Members on his own side of the House also, that in 1878 the people were lighter-taxed than in 1874; but he forgot that the Revenue of 1874 contained the large surplus of nearly £5,000,000, while the Revenue of 1878 left a deficit of nearly an equal amount; and, if those two things were put together, there was nearly £10,000,000 difference between the two Governments. The Expenditure of £32,000,000 on the Forces of the country—the Army and the Navy—was not the whole measure of the extravagance of the Government. The First Lord of the Amiralty had done his very best, he did not mean to say to deceive the House or the country, but to mystify the taxpayer as much as possible. He had been the head and front of the offending in this respect, because he only half revealed and half concealed the true state of the case. When the Government came into power, what did they find? That their Predecessors had been making their purchases at the highest rate for every article of consumption ever made by any Government. The late Government, elected in 1869, came into power when the markets were below the average, or certainly not above, and that year by year during their tenure of Office the whole expenditure for the purchase of stores, provisions, and of every article consumed by the Forces gradually rose upon them, until in 1873-4 prices culminated, and reached a higher cost than before. What had been their experience?

The right hon. Gentleman knew well that in the moment when his Government came into power the cost of all the Government establishments of the country, and the cost of the articles supplied, had been steadily diminishing. He was well aware that the British Government was the largest purchaser of supplies—food, clothing, and metal—of any customer in the world. Taking last year, the Army stores—he now spoke of supply—amounted to the sum of £7,073,340, and the Navy to £4,231,107, making a total of £11,294,357, and in this amount he did not include £1,000,000 paid for other works. In the price of most of these articles there had been a fall of from 16 to 25 per cent. What influence ought this fact to have on the Expenditure of the country? Mr. Giffen had shown that at the present moment there was a considerable reduction in the actual cost of living—food, and other necessaries of life—from two years ago. Eighteen shillings would now go as far as a sovereign then. If that was so in two years, what must have been the difference in the five years of the Government's tenure of Office? Within that period the Government must have obtained a reduction of 20 per cent in their purchases of stores and other necessaries. In other words, £32,000,000 should have gone as far as £34,000,000 before they came into Office. He asked whether the Budget was an honest statement of Revenue and Expenditure? *The Economist* newspaper had well described its principle in the words, "Date forward your liabilities and renew your bills." Then no account had been taken of the Zulu War, the cost of which he had never seen estimated at a lower sum than from £6,000,000 to £12,000,000, and if that were added to the Expenditure where was the surplus of the Chancellor of the Exchequer? He must also condemn the manner in which the Unfunded Debt had been increased. It had risen from £4,500,000 to £25,000,000. The money raised for the Unfunded Debt was raised at a rate not of from 1 to 2 per cent, as the Chancellor of the Exchequer had stated, but of from 3 to 4 per cent. Although the Expenditure of the Government had been most extravagant, yet he believed that the £30,000,000 or £40,000,000 which the Government had wasted since it went into Office had done much less harm to the trade of the country than had been caused by the constant harassment and excitement of the public mind through its uncertain policy during the last two years. The President of the Local Government Board, on Thursday night, denied that there was anything like general distress and impoverishment among the working classes, and referred in a special manner to his (Mr. Mundella's) own constituency of Sheffield in proof of his statement. The chairman of the Board of Guardians at Sheffield wrote to him as follows:—

> "I may say that on the cessation of the relief fund the Guardians passed a resolution that all able-bodied men should have an order to work on the new workhouse ground in breaking stones and excavating. They number nearly 400, and are paid by the piece."

The chairman added—

> "Had it not been for the work found on the new workhouse and other ground, there might have been a very large increase of pauperism. Indeed, I have not known so much distress in Sheffield for 30 years."

He believed the depression of trade was steadily increasing, and ventured to say that the Chancellor of the Exchequer would not realize the amount he had put down as the probable Revenue of the year. Believing that the extravagance of the Government had been most damaging to our trade, and that the policy of the Government had been even worse than its extravagance, he should vote with his hon. Friend the Member for Burnley for reducing the Expenditure of the country.

Mr. CHILDERS said, that the hon. Member for Burnley (Mr. Rylands) had asked the House to pass a Resolution of regret at the great increase of National Expenditure. He believed that hon. Members on both sides of the House would consider—and certainly it was his opinion that it had been thoroughly well established in the course of the debate—that during the term of Office of the present Government a very large addition indeed had been made to the Public Expenditure, excluding from the calculation the Votes of Credit which had been taken in the last two years. The most skilful advocate who had appeared in the course of the discussion on behalf of the cause and policy of the Government—the First Lord of the Admiralty—admitted that the increase amounted to £8,750,000 gross, or £6,500,000 net, taking as the basis of his comparison the Return which he (Mr. Childers) had moved for during the last few years, and which he believed afforded a sound criterion. Other Gentlemen who had addressed the House, and who had not spoken from an official point of view, had raised that excess to as much as £10,000,000 or £12,000,000 gross, or from £8,000,000 to £10,000,000 net. Whichever estimate was correct, it was certain that between £6,000,000 and £7,000,000 constituted the measure of increase which had taken place in the ordinary Expenditure of the country since the present Government came into Office. It had also been established that this great increase of Expenditure had taken place while the Revenue had been almost stationary, during a time of distress, and while there had been a steady increase, at least during the last year or 18 months, of pauperism and crime, and during a state of trade, both domestic and foreign, which the right hon. Member for Montrose (Mr. Baxter) had not, in his opinion, exaggerated, when he described it as being "greater than had before been experienced by the present generation." To meet this increased Expenditure, it was admitted that a very large increase in taxation had taken place. The Chancellor of the Exchequer had stated that during the last 15 months £8,750,000 had been expended under Votes of Credit, and that only a small part of that Expenditure had been paid out of current Revenue, and that by far the largest part of it must be deferred. It had likewise been established that the Vote of Credit Expenditure was increasing upon a large scale. Whereas the Budget of April last year provided that all past Expenditure in connection with the Eastern complications should be financially recouped during the present year, we now knew that very little or none of that Expenditure would be wiped out. They had, indeed, been told the other day that it would not be recouped for two years or two years and a-half. He thought it would be admitted on all sides that up to the present time there were no symptoms of improving trade or elastic Revenue, and, he was sorry to add, there appeared to him to be no symptoms of decreasing Expenditure. If these were accepted facts, how could it be doubted that there was going on the great increase in the National Expenditure referred to in the Motion of the hon. Member for Burnley? The only question was, ought or ought not the House to express its regret at this increase—a regret which, of course, involved blame upon those who were responsible for it? What was the defence or apology of the Government for the great increase in the Expenditure which they had incurred? It seemed to him to amount to this. His right hon. Friend the First Lord of the Admiralty said—"All that you say is true; all those facts may be taken for granted, but then some branches of Expenditure have not been increased; others have been increased, but that increase has been necessary, while other branches again have been increased, and although that increase has, perhaps, not been necessary, it was judicious; and, further, other branches of the Expenditure have increased, but that is not our fault, it originated with somebody else, and if we can show that the increase is only in some branches, and that we are not answerable for it in others, our defence is ample." That, he believed, would be admitted to be practically the answer of the Government to the charge of having incurred an excessive increase of Expenditure. And then, as to the charge that this increased Expenditure had not been provided for in the old, proper, and legitimate manner, the answer of the Government to this was two-fold. First, it was said—"Why you, the Opposition, did the same yourselves." And then they had an elaborate argument to show that in former days also some part of the additional Expenditure had been deferred. The answer came practically to this—it was another way of saying, "How can we face the country, if we provide for the present increase by additional taxation?" His right hon. Friend the Member for Greenwich (Mr. Gladstone) had gone so thoroughly into the rules which had governed the finance of the last 50 years, and had proved so conclusively that the present plan of the Government was so novel, so dangerous in its working, so destructive to the control of the House, that he (Mr. Childers) would not enter at length into that part of the subject. He proposed to deal primarily with the other part of the question—whether the facts which had been alleged by the Government to justify their increased Expenditure had been proved; and, if so, was that justification adequate in itself? He would take the statement of the First Lord of the Admiralty, who, in his very able and clear speech, put the defence of the Government in such a shape as would be most satisfactory, and, following out that defence which he (Mr. Childers) had endeavoured to state tersely to the House, the right hon. Gentleman had based his arguments mainly upon a comparison between the Departmental Estimates of the late Government for the year 1874-5 and the Estimates laid upon the Table of the House by the present Government for the year 1879-80. The first remark he would make upon that was that, in his opinion, it was not a very wise or salutary practice for an in-coming Government to introduce into a discussion in that House, as if they were the established proposals of a former Government, the recommendations of the Departments under that former Government which had never been dealt with by the Government themselves, and which, therefore, did not carry with them the authority of the regular Estimates which were laid upon the Table of the House. But, passing from that primary objection, it had been shown abundantly by his right hon. Friend the Member for Greenwich that in one respect the present Government had erred very grievously in connection with the difference between their original and final Budgets—that was to say, that whereas the original Budgets of former Governments never in ordinary years differed from what were called the final Budgets by an average of more than £100,000 or £200,000, under the present Government, every year—exclusive altogether of the Vote of Credit—the difference between the original and final Budgets had amounted to £1,000,000 or £1,200,000. He would follow up that by another comparison, and say that it was not to the Budget Estimate, but to the actual Expenditure, that they must look. Now, under the late Government, he believed, with one exceptional year, the actual Expenditure came within their original Budget Estimate. In every year of the present Government the actual Expenditure had exceeded the Estimate. If that was so, it was evidently a fallacious comparison to take the Estimate of the present Government, which was certain to deceive, and compare it with the Estimate of the late Government, which was almost certain not to deceive. Passing from that subject, he desired to enforce what had been stated by the hon. Member for Sheffield (Mr. Mundella)—namely, that the Estimates for 1874-5 were based upon rates for iron, coal, and stores, which were almost the highest that had been reached for many years, whereas the Estimates for the present year were based upon rates for iron, coal, wages, and stores, which had reached their lowest point during the last year. Another reason why the comparison of the First Lord of the Admiralty was entirely fallacious was that the present Estimates had been greatly relieved by the Expenditure under the Votes of Credit of the last two years. If hon. Members would look carefully to the Army and Navy Estimates, it would be found that the economies made this year were precisely in those branches of Expenditure very fully provided for by those Votes. For these reasons, he (Mr. Childers) maintained that the comparison instituted by the right hon. Gentleman was an unfair one, and that the House would be led astray if they believed that a comparison of those Estimates was any criterion whatever of the relative economy of the two Governments. His right hon. Friend admitted that the gross Expenditure of the present Government, even in his most favourable comparison, was £8,750,000 more than the Expenditure of the late Government; and a comparison would show that it was really from £8,500,000 to £10,500,000 sterling, notwithstanding the low prices which had prevailed and the assistance received from the Votes of Credit. The First Lord of the Admiralty had stated that there was an additional provision made for the reduction of the National Debt under the present Estimates, as compared with the reduction by the late Government, and he gave the figures in the following way:—He said that the Terminable Annuity charge represented an additional reduction of Debt to the extent of £1,400,000, and that the new Sinking Fund provided for the reduction of Debt to the extent of £600,000; but the right hon. Gentleman forgot that the Chancellor of the Exchequer had, in the first year of the present Government, taken £500,000 interest on former loans, which went to swell the balance, and was treated as Revenue. That sum, therefore, would, of course, have to be deducted from the £2,000,000 said to have been applied to the reduction of the Debt. He was sure the Chancellor of the Exchequer would allow that he was right in that respect. In the present Estimates the increased provision for the reduction of the Debt was £1,500,000 more than the provision made for the last year of the late Government. But what was the use of making an increased provision, unless the increased provision was applied to the reduction of the Debt? Over and over again the First Lord had spoken of this increased provision for the reduction of the Debt, but had said nothing about its application. Now, he would like the House to look, not at the increased provision, but at the actual reduction, of the Debt which had taken place under the two Governments. The hon. Member for the Tower Hamlets (Mr. Ritchie), whose part in these financial debates all would hail as one likely to add much to their interest, had done him the honour, in his speech of Thursday last, to correct what he called an inaccurate statement of his (Mr. Childers) on the subject of the reduction of the Debt during the term of Office of the late and of the present Government; and he had concluded his statement by asserting that whereas during the last five years of the late Government the impression on the Debt had been £20,000,000, it had amounted to £19,500,000 during the five years of Office of the present Government. He (Mr. Childers) had been much blamed for that statement in other quarters, but for a precisely opposite reason. Since that time he had looked into the matter again. He would now state, in the presence of the Chancellor of the Exchequer, who had, of course, the actual figures before him, what was the actual comparison between the impression made upon the Debt during the whole five years of Office of the late Government, and the last four years of the present Government. He intended to give the figures quite accurately, without any colouring whatever. In the first place, the Debt of 1869 amounted to £805,000,000, and in 1874 to £779,200,000, making a difference of £26,200,000 paid off by the late Government. In 1874 the Debt was £779,200,000, and on the 1st April this year £778,000,000, so that the impression made upon the Debt by the present Government was £1,200,000. But that was not all; the late Government had increased the Exchequer balance by £2,700,000, while the present Government had decreased it by £700,000. Therefore, £28,900,000 was the impression on the Debt made by the late Government, and £700,000 by the present Government. The right hon. Gentleman might think he had left out what was a formal reduction of the Debt in connection with the Chancery and Bankruptcy Funds. But that was not so. Of the sum, £28,900,000, £5,900,000 represented the cancellation of those Funds. There remained, therefore, in the printed Accounts, £23,000,000 sterling as the impression made on the Debt by the late Government, and £700,000 as the impression made by the present Government during the four years of their Administration. The total impression made upon the Debt by the late Government, according to the method of computation proposed by the Chancellor of the Exchequer, was £35,400,000, whereas that made by the present Government was £17,900,000. The difference between what had been done by the late Government in that respect, and what had been done by the present Government was, therefore, £17,500,000, or £3,500,000 a-year. But that was not all; the late Government had taken over what was virtually a Debt. He referred to the £4,300,000 for the excess in the Estimate for the Abyssinian War, and they had also to pay £3,200,000 on account of the Alabama Claims, which they did without adding one shilling to the taxation of the country, besides £800,000 for the Ashantee War. These sums, added together, gave a total of £8,300,000, by which the Debt was practically further reduced to that extent. He trusted that he had stated the case clearly and accurately to the House; but if he had fallen into any error, he relied upon the Chancellor of the Exchequer correcting him in his reply. Passing from that subject, he came to the items of charge for the Army and Navy, which were first discussed by the right hon. Gentleman the First Lord of the Admiralty. His right hon. Friend admitted that the gross charge for the Army and Navy had increased by £2,000,000, or by a net sum of £1,700,000, and he had given certain items in his explanation of how that increase had taken place—so much for pensions, so much for extra pay, and so much for stores—but, as the hon. Member for Sheffield (Mr. Mundella) had pointed out, the purchases in these Departments amounted to something like £11,000,000 a-year, and there had been a fall of 18 or 20 per cent in the prices as between the present year and the year 1874. On that ground, alone, it must be considered that the present Government had added since 1874, not £2,000,000, but from £3,500,000 to £4,000,000 to the Army and Navy Expenditure, although they had had the full benefit of the Vote of Credit during the last year to the extent of £1,000,000. So that the fact remained that the Army and Navy Expenditure had increased during the last five years to the extent of very nearly £5,000,000 a-year. In connection with this part of the subject, his right hon. Friend would forgive him if he alluded to a smaller question which he had brought before the House, in referring to which it had struck him (Mr. Childers) at once that he was treading upon very tender ice. The First Lord of the Admiralty referred, in connection with the deferring of some parts of these charges, to a certain portion of Army Expenditure which stood somewhat outside the ordinary Expenditure of the Army, such as the abolition of Purchase and the localization of the Forces, and he used this curious argument—"You have had the benefit of being able to postpone this charge by dividing it over a certain number of years." On hearing this argument, which appeared to him a very dangerous one, he had at once referred to the figures to see how much was so postponed by the late Government, and how much by the present Government, and the result was that he found the charge for these special Army purposes, in the time of the late Government, only averaged £400,000 a-year, whereas it now averaged £800,000; so that formerly but one-third of this charge was postponed, while the present Government had postponed two-thirds of it. He thought he had shown his right hon. Friend how dangerous it was for him to introduce into his speech a comparison of the kind which had been described. The next point of the right hon. Gentleman was the item for Education; and he said that, comparing the two periods, the increased charge for this purpose under the present Government was £1,500,000. It had been stated, in the course of the evening, that the amount was £1,200,000; but, whichever amount was correct, he would on this point only make one very natural remark. His right hon. Friend had himself said that this increased cost required very careful consideration, and that the House might look for some reduction of the item. On that point, the only suggestion he would make was that, considering the present Government had been five years in Office, if that increased charge really required re-consideration, the Government had delayed their consideration of this matter for a very long time. Lastly, the right hon. Gentleman referred to the grants made in aid of local ratepayers, and he gave figures, showing that the charge transferred to the taxpayer had increased since 1874 to about £2,000,000 a-year. At that point, he was obliged to refer again to a remark of the hon. Member for the Tower Hamlets (Mr. Ritchie), who had been rather severe upon what he (Mr. Childers) was supposed to have said upon a former occasion in making some allusion to the tea duty. Had the hon. Member read what he had stated a little more carefully, it would have been seen that reference was made not to the past but to the future. In 1874 the great majority of those who paid the tea duty had been relieved of a very large amount of sugar duty; and he had said, with reference to the grants in aid of the ratepayers, that the £2,000,000 given was not the whole of the sum demanded, that another £2,000,000 was required, that the ugly rush on the Treasury was by no means given up, and that if they were to give any further relief the result would be that instead of their being able to take off any such tax as the tea duty they would be obliged to leave it on, and the artizan would be obliged to pay twice as much as he then paid in aid of local rates. For his part, he had always admitted that the time for re-adjustment of the charges as between ratepayer and taxpayer had arrived, and that what ought to have been done was to go into the whole question, instead of bringing in a Bill to give away so much money without any argument in its favour. The question of education should have been gone into at the same time, and the whole matter properly re-adjusted. But what had been done? We had taken one or two charges and thrown them one upon another, and had done nothing to improve the administration of local funds; on the contrary, the question had been left in a state of chaos. When the present Government took Office, however, two attempts at re-adjustment were made, which were about the most egregious failures of any during the present Parliament, and which left the whole question in a state of greater darkness than before. When, therefore, the course pursued by Her Majesty's Government could be justified, they could justify the increased charge in taxes, but not until then. The right hon. Gentleman, in making his comparison and in proving that some additional charges upon the taxpayer were, in his opinion, necessary, had omitted to refer to that which lay at the root of the whole matter. There were two cardinal principles in connection with Expenditure which had been altogether left out of sight. The first was that when new charges were imposed those new charges should be met by seeking opportunities for economy in other directions, and that those opportunities had been found in times past and would be found again; the second principle was that in such cases the Government should, if he might be allowed to say so, "cut their coat according to the cloth." A Government could not carry on the same rate of Expenditure when trade was in an unsatisfactory state, and when pauperism was increasing, as they might in a time when trade was flourishing and pauperism diminishing year by year, and when the burden of taxation was very much less than it was now. The right hon. Gentleman, therefore, in omitting to consider these two cardinal principles, had made an altogether fallacious comparison. What had been the increase of Expenditure and charge upon the public between 1875 and the present time? That was the second year in which the present Government controlled the finances of the country, when nothing was left from the previous year, when there was no question of "legacies" from the former Government, and when the present Government had to deal with a Budget for which they alone were responsible. In 1875, the Chancellor of the Exchequer estimated that the produce of his taxes would be little less than he had estimated for the present year; and it could not, therefore, be a worse year for him than the present for making any necessary changes. The Revenue from Customs, Excise Stamps, and House Tax was at the same rate as in the present year, and his Revenue from other sources were taken at £600,000, or £700,000 less than they were taken now. The comparison, therefore, upon that ground, was not unfavourable for the Government. In that year, the Chancellor of the Exchequer imposed an additional 1*d.* on the Income Tax, and in 1878 he imposed a further rate of 2*d.*, as well as raising the tobacco duty, and to a certain extent the dog tax. He wished to show the House that the surplus of ordinary Revenue in 1875 was, to use the language of the Government, £800,000, and that the surplus for the present year—and this was the most extraordinary statement laid before them—was given at £1,900,000. The surplus, therefore, of present taxes over ordinary Expenditure in favour of the Government would, upon that statement, be £1,100,000 more than in the year 1875. But how much additional taxation had been imposed to make up that sum? £6,200,000! That sum had been imposed by the Government between 1875 and 1879, to maintain a contingent surplus of £1,100,000, which excluded Votes of Credit for warlike purposes. They had also increased the charge upon the public, not as between their time of Office and that of their Predecessors, but as between their fifth and seventh year, by no less a sum than £5,100,000. He thought that statement demanded an answer, because no comparison had been made with anything done by the former Government, but only between the uncontrolled overgrown Expenditure of the present Government, between their second and third year of Office. He had now dealt with the present Expenditure of the Government, and had shown that between 1875 and 1879 they had increased the ordinary burden upon the taxpayers for the common Expenditure by no less than £5,000,000 a-year. They had the figures of the Chancellor of the Exchequer, who had told them that within the last 18 months the Votes of Credit had been close upon £8,300,000; but there could be no doubt that this was a very low estimate indeed, and if it included the Cape War, with the part of the Afghan War which would have to be borne by this country—a rather curious point, when it came to be seen how much it would amount to—he (Mr. Childers) thought it would be very satisfactory if the Vote of Credit gave a total of less than £12,000,000 sterling. Her Majesty's Opposition were, therefore, entitled to ask whether the House looked with satisfaction upon that £12,000,000 as the price of the advantage to be gained from two wars and the complication of European affairs? Could they look with satisfaction upon the results of the Berlin Treaty? Turkey had been despoiled of five Provinces and was utterly bankrupt, she had lost more than half her Revenue, notwithstanding which it was believed that we had gained some advantage by the Treaty of Berlin. Why! had the Government not refused to follow the advice of the Opposition; had they not in 1877 refused to enforce the will of Europe, and compel Turkey to obey the decision of the Great Powers? She might have been saved from war altogether. Did hon. Members opposite view the Cape War with satisfaction? The Government had stated the other day that they disapproved that war; but that they approved of Sir Bartle Frere not being recalled. Was there anybody who understood military opinion in India, who was not thorughly dissatisfied with the position of the Afghan difficulty? But if little had been gained by our increased Expenditure, there remained one consolation, for the First Lord of the Admiralty had said our name had been made to be respected by foreign nations. He had had the opportunity within the last two years of seeing something of foreign capitals, and learning something of the effect which the policy of England had produced during that time. He was quite prepared to admit that there was considerable rejoicing in foreign capitals at the altered position of the British Government, because it had adopted their military policy, after having for so many years protested against it, and declared that, not being a military nation, we did not intend to take the same part in foreign affairs which military nations were more fitted for. There was also considerable approval of our policy in France, but simply because we were moving in the direction of that military system which had brought her to the brink of ruin. As to the effect which the recent change of our policy had upon America, and the increased respect which we had gained in that country, he remembered that there had been some demonstrations, and that the British residents in California had presented an address to the Government approving of the course which they had taken in foreign affairs; but he had only to say, in estimating the value of those expressions of confidence, that the inhabitants of that country did not pay our taxes, and, therefore, that their sympathy and approval was not accompanied by the test of having to pay for the foreign policy which they so much approved. Again, if we looked to the Government of the United States, it would be found that they, at any rate, were moving in a direction diametrically opposed to ours, for in the last 13 years they had reduced their Debt, not by such a sum as he had described, but by no less than £150,000,000 sterling, and the interest of the Debt by no less than £18,000,000 sterling. If we sought the respect of foreign nations, he ventured to say that we had better do so by striving to respect ourselves, and by following in the old lines of economy which had been the aim and object of every Government since the year 1826. For the first time since that period we were sliding away from our former system into one of the yearly-increasing extravagance, described in the Motion of his hon. Friend the Member for Burnley (Mr. Rylands), and the House might well come to the conclusion that the Public Expenditure had increased, was increasing, and ought to be decreased.

The CHANCELLOR of the EXCHEQUER: My right hon. Friend the Member for Greenwich, in the opening of his eloquent speech this evening, brought against me a charge, half jocularly, perhaps, but half seriously, of having misrepresented, on a recent festive occasion, the nature of the issue which was to be raised against Her Majesty's Government to-night. Well, very possibly I may have fallen into an error on that occasion. But I must candidly confess that since the hon. Member for Burnley put this Notice on the Paper—and especially during the progress of this debate—I have been from time to time very much mystified as to what is the object, and as to what the real issue is, that we are called upon to decide. I must say with regard to the particular interpretation that I ventured playfully to put upon the hon. Member's charge—namely, that it was an indictment against us for having refused to put on additional taxes—when I had listened to the right hon. Gentleman the Member for Greenwich, from the beginning to the end of his speech, I thought there was more reason in that interpretation of the Resolution than before. Let us see for a moment what has been the history of these rather curious Resolutions. The hon. Member for Burnley, in the first instance, put upon the Paper what are now the 1st and 2nd Resolutions as one. He made it one Resolution, and as one it was very consistent and rather formidable. It was to this effect—

> "That this House views with regret the great increase in the National Expenditure for which Her Majesty's present Government are responsible, and which is not necessary, in the opinion of this House, for the security of this country at home nor for the protection of its interests abroad."

Undoubtedly, that was a very serious charge indeed to bring against the Government, for it fixed the responsibility for the increased Expenditure on the present Government; and it not only fixed them with the responsibility for an increased Expenditure, but for an increased Expenditure for purposes which were not, in the eyes of this House, necessary or justifiable. That was a very formidable indictment. But what happened? That Motion was cut in two, and a much more simple and bare Resolution is put before us—"That this House views with regret the great increase of National Expenditure;" and the House is not invited at the present time to express an opinion in their votes as to whether that increase is due to the present or to any other Government, or whether the increase is occasioned by purposes that are necessary or for purposes that are not necessary. That is a very convenient form of Resolution. I do not mean that it is intended for the purpose of catching votes; but I cannot help thinking that we can trace it to the hand, very probably, of a right hon. Member opposite who has a great share in the direction of the councils of the Liberal Party—I mean the right hon. Gentleman the Member for Clackmannanshire (Mr. Adam). I think that, because I observe that the right hon. Gentleman has lately laid down the doctrine that the cardinal point to which the Liberal Party should direct their attention is this—that they should commit themselves to nothing. Certainly, that is a very safe proposition, and, no doubt, the right hon. Member for Clackmannanshire thinks that the purposes of the Liberal Party will be served by the acceptance of such a Resolution. But in the form in which it stands, the Resolution is a very good one, and has been brought forward on many different occasions. The last hon. Member who brought such a Motion before the House was the hon. and learned Gentleman the Member for the City of Oxford (Sir William Harcourt). We have not had the advantage to-night of a speech from the hon. and learned Gentleman; but I suspect that he may have had some little hesitation about speaking on this Motion, because he probably remembers that when he brought forward a similar Motion in 1873, and when he declared that the last two years might be described as disastrous in a financial point of view, he was answered with great effect by the then Prime Minister, the right hon. Gentleman the Member for Greenwich, who had to point out to him that in order to make a fair comparison between the then present time and the year 1868, we had to bear in mind that there were very important elements of Expenditure that now weigh heavily upon us that were not in view during the transactions and discussions since 1868, and were not in existence in 1865, nor in the other periods chosen by the hon. and learned Gentleman. I will not detain the House by making further quotations from that speech, or by pointing out the new items of Expenditure which have come into existence. I will only say that that is the line of argument which the right hon. Gentleman the Member for Greenwich adopted then, and that that is the line of argument which we adopt now. The hon. Member for

Burnley (Mr. Rylands) has told us that he does not wish to point his Motion directly against the present Government or to the present time. He said he would go back a good many years, and would take in the misconduct not only of the present Government, but of previous Governments, and especially of that of Lord Palmerston. The hon. Gentleman selected a particular year, as is the habit of hon. Gentlemen bringing forward Motions of this sort. Hon. Gentlemen always select some year for comparison, and on this occasion the hon. Gentleman has selected as a model year with which to compare the Expenditure of the present time, the year 1819. But the year 1819 is certainly not a good specimen of a golden age. If we compare the condition of affairs now with the condition of affairs in 1819, of course we see very great progress indeed in the Expenditure of the country. But then let us look at the difference of circumstances. Everyone will have before him the cost of a line-of-battle ship at that time and what the cost is now. But what is the cost of all the Services which we now have to perform compared to the cost of the Services formerly necessary? In addition to the cost of the Services formerly performed being greater, we now have a large number of new Services. I will not attempt to detain the House —and it would be absurd if, at this time of night, I were to do so—by drawing a comparison between every year since the year 1819. But still the argument is the same. In fact, you reduce the argument to an absurdity if you begin to compare years so different. The same observation applies, to a certain extent, to a comparison between a year taken some little time back and the present year; for new Services have sprung up, new ones have been created, and new interests have called for an increased Expenditure. Therefore, if we are to be treated in the way in which the hon. Gentleman treats us, I think those who support him ought to go further, and carry their opinion to a logical conclusion, like the hon. Member for Stoke (Dr. Kenealy), who contends that we should do away altogether with a standing Army. And that is the real point. If you can afford to do away with a standing Army—to reduce your Expenditure—then by all means do so. Let England be placed in a condition in which she will be able merely to look after her own shores, to the exclusion of the rest of the Empire; and let us not stand higgling over a few hundreds of thousands or millions, more or less, but let us make a sweeping reduction at once. But if you require an Expenditure which shall place the country in a certain position, let us do what is necessary to make the outlay effective. Do not let us make ourselves ridiculous by pretending to place ourselves on a footing of efficiency, and yet just falling short of it. It would be absurd to say—Let us maintain an Army and Navy adequate to the Services of the Empire, and then spoil the whole thing by not spending the amount necessary for keeping our ships in good repair, or our men contented, or in providing the best weapons. Nothing could be worse economy than that. Let us see whether it is or is not necessary that we should have these armaments on this scale, or whether we should have these Services, on which we expend so much. And thus the question arises, is the price which we are asking for them a fair one? And what, I would ask, is precisely the point at which hon. Members on the opposite side are aiming in this debate. While some are saying that they regret the increase of our Expenditure, and are putting together a great number of figures to prove that increase, there are others who say that what they object to is not so much the particular matter of Expenditure as the policy by which it has been caused; and we have been invited by many hon. Gentlemen who have taken the latter line to enter into a discussion on the whole foreign policy of the Government. Their arguments have not been directed to the question whether we are or are not practising economy in keeping up a certain Force which we maintain to be necessary; but they say you ought not to have a policy which requires so large an Expenditure. They fall back upon the proposition, which the hon. Gentleman has put forward in his Resolution, that the Expenditure was not necessary for the interests or the honour or the safety of the country. That is a proposition which has been debated over and over again, and upon which the sentiments and the judgment of the House have been pronounced more than once, more than twice, nay, more than a dozen times. It seems to me that even to urge such views is simply to raise afresh questions which we ought to consider as disposed of or set at rest, or which, if they are to be discussed at all, should be debated on grounds rather of policy than of economy. But then my right hon. Friend the Member for Greenwich (Mr. Gladstone) and the right hon. Gentleman the Member for the City of London (Mr. Goschen) come forward, and say—"Over and above this objection to the increase of Expenditure, over and above our repudiation of the reasons you assign, we charge it against you that you have not made a proper provision in the Budget of this year for these special Services—that is to say, I suppose they make it a charge against us that, having committed the country and the House to this Expenditure, we have not put on new taxes to meet it; and, therefore, I think the House will consider my casual remark justified, that we are brought to book for not having increased the taxation of the country. Now, with regard to that matter, I think that it is one upon which it is my duty to offer such a defence as I can, for I have had some rather hard language applied to me, both by my right hon. Friend—for whose personal courtesy, however, I must always feel indebted, as well as for sharp lessons learnt—and by the right hon. Gentleman the Member for the City of London. That right hon. Gentleman has indulged in a very choice selection of epithets; and I must say that I thought he did himself injustice in borrowing his vocabulary of vituperation from the hon. and learned Member for the City of Oxford (Sir William Harcourt), and it surprised me that he should have found a difficulty in saying what he wished in his own words. Let that pass; we do not mind a few harsh words; and let us rather consider the matter in its serious aspect. My right hon. Friend charged me with having entirely forgotten and overturned and revolutionized all the principles that have guided the finance of all the Ministers of modern times, and which ought to be the pole star, and all the rest of it, of a Chancellor of the Exchequer. I do not quite follow that, nor do I really think that we are open to this objurgation. For what, after all, have we done? A year or two ago—in 1876—I found that the ordinary Expenditure of the country had grown to such a point—not, as I venture to say, through our fault, but owing to the legislation partly of ourselves, and partly of our Predecessors—that it was absolutely necessary to increase the Expenditure in order to bring about a proper balance. We did not then hesitate to ask the House to raise the Income Tax in order to bring about an equality. I considered then, and I consider now, that in raising the Income Tax to 3*d.*, taking into consideration the other taxes of the country, we made a very fair and adequate provision for the ordinary expenses of the country in time of peace. Then we came to a time when it appeared that something more than that should be done. A state of things had arisen in the East of Europe, with regard to which we all have our own opinion, and concerning which the opinion of Her Majesty's Government is well known, and has often been declared in this House. My right hon. Friend said, with much emphasis—"A few days after you came into Office, Lord Derby"—then he paused to call attention to the name—"Lord Derby stated that everything was on the most peaceable footing, and that this country was on the best terms with all foreign countries." Well, that was perfectly true; but it had nothing to do with circumstances which did not occur till a year afterwards. I refer to the troubles in Turkey. Lord Derby, who was charged with the conduct of the foreign affairs of this country, felt himself obliged, by the consideration of the honour and interests of this country, to take a line which was the beginning of all that has happened since. It was Lord Derby who declined to join with the other Powers in the Berlin Memorandum, and it was from that date that all these changes arose, and that England began to take a distinct position for herself. My right hon. Friend is very sore, because some reference has been made to the Black Sea Treaty. He says there was nothing whatever to complain of, because all the Powers except England, and perhaps, also, except Austria, were agreed about it; and it was quite right that England should follow the other Powers. That may or may not have been right; but certainly the fact of England always following the other Powers was not altogether calculated to place England in the position she should occupy. I remember, when we were discussing

Afghan affairs—the fact will be in the memory of some of my hon. Friends—it was said that Shere Ali, when beginning to fall away from his alliance with England, said expressly that he did so from seeing that Russia could tear up a Treaty, and that England could not prevent her from so doing. But all that is by the way. We are forced into these questions, which seem a little remote from the question of the Budget, by the line which has been taken in the attack made upon us. What I wished to say was this. When matters came to such a point that we thought it necessary to call upon the country, and to call upon the House, to make provision for the possibility of England having to take part in hostilities, and raising herself into a position to speak with a more decided voice in the Councils of Europe, without being obliged to follow at the beck and call of other Powers, I came down to this House and made proposals with regard to the Expenditure. I asked the House then to adopt my proposal for meeting a portion, at all events, of that Expenditure by adding another 2*d.* to the Income Tax. Well, now, that was making provision for a part of the Expenditure which we were asking the House to incur. Was I bound to call upon the House to make provision for the whole of that Expenditure? I think not. I think it was not at all necessary, or in accordance with the precedent of former years, that that should be done. My hon. Friend the Secretary to the Treasury has already quoted the expression of the right hon. Gentleman the Member for Greenwich in 1860, and the language of others at other times. In 1860, the right hon. Gentleman said—

> "We propose to apply to the sum which we still require the same principle of divided method of provision which we adopted with regard to the sums with which we have already dealt; that is to say, we ask the Committee to give authority for raising that sum in part by taxation, and in part from sources other than taxation. In so doing, we follow the rule which is commonly applicable to war expenditure."—[3 *Hansard*, clix, 1970.]

What was it that I proposed we should do? I proposed that we should spread the Expenditure we were about to incur over a period—I originally said—of three years. As the House knows, circumstances occurred which made it impossible to carry that plan into effect without some change, and the circumstances that have occurred are these. War has broken out in South Africa, and upon that I could not reckon. What I have proposed is that we should carry on for another year the process of maintaining that addition of 2*d.* to the Income Tax, which was put on as extra taxation in the hope that we should thereby redeem and pay off the charges for that war. That does not seem to me so very unreasonable and immoral a kind of finance. I should like to say, with regard to these matters, that we must bear in mind the great alteration that has taken place in the basis of our taxation since the days of Sir Robert Peel, and even since 1860. You have now been going on for many years cutting off one source of Revenue after another, until you have reduced them to a very small number. You have now the Income Tax, and you have a very small number of duties upon articles of consumption. It is generally admitted now that you ought not to do that which was a favourite resource of my right hon. Friend some years ago, and which used to be done whenever there was occasion to balance the Revenue and Expenditure, simply to put 1*d.*, 2*d.*, or 3*d.* upon the Income Tax. My right hon. Friend takes credit to himself because he doubled the Income Tax in 1860. [MR. GLADSTONE: No credit.] Well, the right hon. Gentleman does not take credit for it, but he speaks of it as a very remarkable action; and when we come to consider the whole circumstances of 1860, which I will comment upon in a moment, I think it will be seen that it was a very remarkable action. I wish now to say that the principle that I have endeavoured to enforce in this House, not only since I have been in Office, but before, is this—that you ought not to use the Income Tax as a mere make-weight and balance, but, as far as possible, to keep it steady. I do not say you may not, on certain occasions, have to raise it as we did; but there is nothing more clearly laid down than this—that when you have to raise taxation it ought not to be done by raising the Income Tax only, but it ought also to be done by looking to other sources of taxation. But you have now left yourselves in such a position that you have very few sources of indirect taxation left to turn to, unless you revive some which have been allowed to disappear, and which I quite admit you might, under certain circumstances, decide to revive. I wish it to be distinctly kept in view that there is no reason why, if the circumstances of the country require it, you should not revive taxes which have been remitted. But, on the other hand, it is a most undesirable thing to be frequently tampering with taxes upon articles of trade and consumption, especially if you have only to do it for a year or two. It seems to me to be a far better, and sounder, and wiser system of finance, when we have a large and temporary increase of Expenditure, to carry on our liabilities by spreading them over two, or three, or even four years. Now that, I am told, is a very shocking thing to do. I am told that Sir Robert Peel repudiated doing anything of the kind in 1842, and I am reminded that I have myself ventured, very humbly indeed, to speak in commendation of that position. But what were the circumstances of 1842, and what was the language in which Sir Robert Peel rejected the idea of making a temporary addition to that duty? In 1842 the circumstances were wholly different from what they are on the present occasion. There was no exceptional Expenditure required; but there had been for a series of years a falling Revenue, and a series of deficiencies. Sir Robert Peel came into power with the object, and very much for the purpose, of rectifying that which had been going on so long. What he did was to apply a radical remedy to the evils which he met. What was his remedy? He found a load of taxation. He found that the whole system was bad. He found that it was pressing on the springs of industry, and that it was important to relieve those springs, and to revise the whole of our tariff. He found that our system of taxation was of an indirect character; and in order to carry through the alterations he wished to make, he proposed the imposition of the Income Tax, for a limited time only, and in order to bring about that great reform. When he was examining all the different methods open to him to meet the deficiency of which we have spoken, he said—

> "Shall we, in time of peace, have resort to the miserable expedient of continued loans? . . . . Shall we have recourse to any of those expedients, which, call them by what name you please, are neither more nor less than a permanent addition to the Public Debt. We have had a deficiency of nearly £5,000,000 in two years; is there a prospect of reduced Expenditure?"

He goes on to say that there is not, and that they could not anticipate, the year after the next, the possibility, consistently with the honourable safety of the country, of reducing the Public Debt. He says, again—

> "Is this a casual deficiency for which you have to provide a remedy? Is it a deficiency on account of extraordinary circumstances? Is it a deficiency for the last two years? Sir, it is not. This deficiency has existed for the last seven or eight years. It is not a casual deficiency."—[3 *Hansard*, lxi. 429-30.]

Sir Robert Peel, in fact, was dealing with a wholly different state of things. We are dealing with that which, according to our contention, is a casual and a temporary deficiency, a deficiency arising out of the circumstances of the wars in which we have been forced to engage, and the Expenditure on which we hope to see the end of in the course of two years, or, at the most, three. I do not mean that we expect that the wars will last as long as that, but that we hope that the Expenditure to which they have given rise will be at an end by that time. I say, then, that it is perfectly legitimate and reasonable for us to take this course, instead of increasing the burdens of the people at this moment and putting upon them the weight of additional taxation. It would depress the commerce and trade of the country at the very time when we seek to enliven it. The right hon. Gentleman the Member for the City of London (Mr. Goschen) found a little consolation for the present state of things by pointing to the cheapness of the various articles of consumption. Are we, then, to do away with that advantage by putting taxation on them? But I am told that what I am doing is unprecedented. Now, I wish the House to kindly hear what has been done in former years; and I especially wish to refer to this remarkable year of 1860. It was in that year that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) made one of the most brilliant, perhaps the most brilliant, of all the many brilliant Budget speeches he has made. It was one of the most remarkable character, of great ingenuity, and it embraced a great variety of topics. That was the year in which the Long Annuities fell in, and the country was relieved of a charge of £2,600,000 of Debt. It was the year in which the French Treaty was concluded, and the year in which a large amount of reduction was made in the taxation upon various articles of consumption. It was also the year in which my right hon. Friend, having expected it to be the time when the Income Tax was to be swept away, found it necessary to raise it from 5*d.* to 10*d.* It was a year in which the taxes that were taken off exceeded the taxes that were put on by no less than £2,500,000 or £2,600,000; and, therefore, it was a year which brought great credit to my right hon. Friend. But how did he get that £2,500,000 of taxation which he was able to remove? He took advantage of the falling in of these Long Annuities; he also took advantage of certain casual payments—there was one, for instance, from Spain—he shortened the long credits, and brought into the year certain payments; he shortened, also, the period in which the Income Tax was payable, and so brought in three-quarters of a year instead of a-half; and, strangely enough, in that very year he postponed, by a stroke of his pen, and hardly noticed it, £1,000,000 of Exchequer Bonds. All this was done with great applause, because it enabled him to reduce the taxes upon a large number of articles. I do not say for a moment that my right hon. Friend was not justified in taking that course; but I think it is a little hard, when he has done such things as this himself, that he should turn round upon me, and say that this spreading of Expenditure over three or four years—assuming it to be a right and proper Expenditure for a right and proper purpose—is such a very great offence. But there was one thing above all which was done in this year to which I wish to call attention. There was a Fortification Loan proposed in that year, and what was its history? It was set on foot for the construction of a series of fortifications round our Dockyards, and it was to cost £7,500,000, and it has cost—[Mr. Gladstone: No, no, £5,000,000.] Well, if it was £5,000,000, that makes it so much the worse. In this year of great prosperity, when there was all this money to be given away, and when the National Debt was so greatly reduced by these wonderful Long Annuities, and all these other matters had been pressed in aid, this sum of £5,000,000 was provided, not all at once, as my right hon. Friend now says money ought to be provided, but it was spread over a series of years, while the works were being constructed; and it was spread, not over four years or over five years, but over 25 years. The Expenditure of that sum has never been of that enormous character that the amount could not have been met out of the Revenue of the year, for the largest sum paid in any one year has been something less than £1,000,000. Well, but is that moral or immoral finance? It may have been all very right and very proper; but there certainly was a case in which you were borrowing money. For what? To put the country in a proper state of defence. Well, then, we say, we have been borrowing this money to put the country into a proper state of defence; and we say that it is rather hard to find fault with us for raising money, and for having done that which it was considered perfectly legitimate for my right hon. Friend and the Cabinet of Lord Palmerston to do. The re-payment, too, is pressing upon us now more than it did at the beginning, because in the first year of the Terminable Annuities you pay very little capital, and the greater part is interest. But the interest diminishes, and the payment of the capital increases, and we are now paying some £500,000 or more on account of that Loan in 1860. These were the transactions of 1860; and I can only complete the history of that remarkable year by saying that it ended with a deficit of £2,500,000. I shall not trouble the House by going into further figures. My right hon. Friend the First Lord of the Admiralty has put our case remarkably well, and the right hon. Gentleman the Member for Pontefract (Mr. Childers) has criticized many of those figures. I think that my right hon. Friend's figures will bear examination, and that, upon careful comparison of them, they stand good. But I am not at the present moment prepared to trouble the House with a detailed examination of the minute points which have been raised. I admit—for there can be no doubt about it—that the Expenditure of the country has been considerably increased since the present Government took Office, and we say that it could not be otherwise. We say, in the first place, that it was due to new Services introduced, or to the increasing amount of the new Services for which we were not responsible, but which we have done our best to administer according to the obligations laid upon us. Hon. Gentlemen opposite know, and we all know, what the general outline of these Services is. The increasing expense of education, the advance of payments to local bodies — which can hardly be called additions to Expenditure, because they are a relief to the ratepayer—are among these; but I do not think it would be convenient at this time of night that I should enter into a discussion of these questions, or that I should follow the right hon. Gentleman the Member for Pontefract into his discussion of the County Government Bill, or the general system of local expenditure. The broad ground upon which we rest our case is that it was our duty, and we felt it to be our duty, to make adequate provision for placing this country on a footing on which it might sustain the position it holds in the Councils of Europe. You may say that the time has come when we can no longer wish to maintain that position. We know very well that it has been said—and extremely well said — that Expenditure depends upon policy. But, though I entirely agree with that sentiment, I hope that we shall not invert the sentiment, and say that our policy ought to be determined by the Expenditure which we make. If the policy is wrong, by all means let it be censured and abandoned. If it be right, you must take the consequences of our carrying it out. If England, being, as it is, the centre of a great Empire, which is widely spread, and which touches at all points those whom she has to watch, and, in some cases, against whose jealousies or hostility she has to guard, then there is no option—it is necessary that England should maintain herself with credit in the position in which she is placed. If we are prepared to withdraw from that position, let us withdraw from it. Let us close the chapter, as I think, the glorious chapter, in the history of England; let us frankly say that we can no longer afford to maintain the attitude which we have hitherto endeavoured to maintain. It is not an attitude of aggression. It never ought to be an attitude of aggression, because the policy of England is necessarily a policy of peace and the development of commerce all over the world. It ought not to be a policy of aggression, because the system of English government is the application of the English system of government amongst Native races in distant parts of the world, and demands, above all things, that there should be tranquillity and prosperity in these countries. But you cannot maintain that tranquillity, and you cannot maintain that prosperity, unless it is founded upon respect. Unfortunately, we must admit that respect in this world will not be given, or cannot, at all events, be relied upon to be given, to those who are not strong, who do not show their strength, or who do not show, at any rate, that they are ready, if necessary, to use their strength. I trust that the sad conjuncture, which we all deplore, of our having simultaneously to defend our possessions, or to take steps to prevent interference with our possessions, in different parts of the world at the same time—a conjecture complicated, no doubt, by the attitude we have been obliged to take in the face of Europe—will shortly pass away. I think that there are symptoms that it is passing away, and that when our children come to look back upon the history of this period, they will say that this generation did not do an unwise thing, and did not do an unpatriotic thing, in endeavouring, by a judicious expenditure of money, and a judicious demonstration of our strength, to avert war and to preserve peace.

Question put.

The House *divided:* — Ayes 303; Noes 230: Majority 73.

AYES.

Agnew, R. V.
Alexander, Colonel C.
Allcroft, J. D.
Allsopp, C.
Allsopp, H.
Arbuthnot, Lt.-Col. G.
Archdale, W, H.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, rt. hn. G. C.
Beresford, Lord C.
Beresford, Colonel M.
Birkbeck, E.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.

Bourne, Colonel J.
Bousfield, Col. N. G. P.
Bowen, J. B.
Bowyer, Sir G.
Brise, Colonel R.
Broadley, W. H. H.
Brooke, Lord
Brooks, W. C.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Cartwright, F.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, Colonel E.
Chaplin, H.
Charley, W. T.
Christie, W. L.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Digby, Col. hon. E.
Douglas, Sir G.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fellowes, E.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Garfit, T.
Garnier, J. C.
Gathorne-Hardy, hn. A.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, W.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, rt. hn. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Harcourt, E. W.
Hardcastle, E.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Helmsley, Viscount
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hicks, E.
Hildyard, T. B. T.
Hill, A. S.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Holt, J. M.
Home, Captain D. M.
Hood, Capt. hn. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Isaac, S.
Jervis, Col. H. J. W.
Johnson, J. G.
Johnstone, H.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Col. E. H.
Kennaway, Sir J. H.
King-Harman, E. R.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lambert, N. G.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, O.
Lewisham, Viscount
Lindsay, Colonel R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Lowther rt. hn. J.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Makins, Colonel
Mandeville, Viscount
March, Earl of
Marten, A. G.
Master, T. W. C.
Merewether, C. G.
Miles, Sir P. J. W.
Mills, A.
Mills, Sir C. H.
Montgomerie, R.
Montgomery, Sir G. G.
Moray, Col. H. D.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Naghten, Lt.-Col. A. R.
Newdegate, C. N.
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hn. Sir S. H.
O'Donoghue, The
O'Neill, hon. E.
Onslow, D.
Paget, R. H.
Parker, Lt.-Col. W.
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major D. P.
Percy, Earl
Phipps, P.
Plunket, hon. D. R.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain G. E.
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, E.
Ridley, Sir M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Samuda, J. D'A.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shirley, S. E.
Shute, General C. C.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, rt. hon. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Serjeant F. L.
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hn. Col. T. E.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, A.
Tremayne, J.
Turnor, E.
Wait, W. K.
Walker, O. O.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Watney, J.
Watson, rt. hon. W.
Welby-Gregory, Sir W.
Wellesley, Colonel H.
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Yarmouth, Earl of
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Acland, Sir T. D.
Adam, rt. hn. W. P.
Allen, W. S.
Anderson, G.
Ashley, hon. E. M.
Backhouse, E.

Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Bass, A.
Bass, H.
Beaumont, Colonel F.
Bell, I. L.
Biddulph, M.
Blake, T.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, Jacob
Bright, rt. hon. J.
Bristowe, S. B.
Brogden, A.
Brooks, M.
Brown, A. H.
Brown, J. C.
Browne, G. E.
Bruce, Lord C.
Burt, T.
Cameron, C.
Campbell, Lord C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carington, hn. Col. W.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Childers, rt. hn. H. C. E.
Clarke, J. C.
Clifford, C. C.
Cole, H. T.
Collins, E.
Colman, J. J.
Colthurst, Colonel
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Courtney, L. H.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Cross, J. K.
Davies, D.
Davies, R.
Delahunty, J.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Duff, R. W.
Dundas, hon. J. C.
Earp, T.
Edge, S. R.
Edwards, H.
Egerton, Adm. hon. F.
Errington, G.
Evans, T. W.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Fitzwilliam, hon. W. J.
Fletcher, W.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
French, hn. C.
Fry, L.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir J.
Gordon, Sir A.
Gordon, Lord D.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Grey, Earl de
Grosvenor, Lord R.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, Sir A. D.
Henry, M.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holland, S.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
James, W. H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kensington, Lord
Kingscote, Colonel
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Laverton, A.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, Sir A.
M'Carthy, J.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Clure, Sir T.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P.
Massey, rt. hon. W. N.
Meldon, C. H.
Mellor, T. W.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Mure, Colonel W.
Murphy, N. D.
Noel, E.
Nolan, Major J. P.
Norwood, C. M.
O'Beirne, Major F.
O'Brien, Sir P.
O'Byrne, W. R.
O'Conor, D. M.
O'Conor Don, The
O'Donnell, F. H.
O'Gorman, P.
O'Shaughnessy, R.
O'Sullivan, W. H.
Otway, A. J.
Palmer, C. M.
Palmer, G.
Parker, C. S.
Pease, J. W.
Peel, A. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Playfair, rt. hon. L.
Plimsoll, S.
Potter, T. B.
Power, R.
Price, W. E.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Rathbone, W.
Richard, H.
Roberts, J.
Robertson, H.
Russell, Lord A.
St. Aubyn, Sir J.
Samuelson, H.
Seely, C.
Sheil, E.
Sheridan, H. B.
Sherlock, Serjeant D.
Simon, Serjeant J.
Smith, E.
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stewart, J.
Stuart, Col. J. F. D. C.
Sullivan, A. M.
Swanston, A.
Talbot, C. R. M.
Tavistock, Marq. of
Taylor, P. A.
Temple, right hon. W. Cowper-
Torrens, W. T. M'C.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Waddy, S. D.
Waterlow, Sir S. H.
Wedderburn, Sir D.
Weguelin, T. M.
Whitbread, S.
Whitwell, J.
Whitworth, B.
Williams, B. T.
Williams, W.
Wilson, C.
Wilson, I.
Wilson, Sir M.
Yeaman, J.
Young, A. W.

TELLERS.

Baxter, rt. hon. W. E.
Rylands, P.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS — *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-nine, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Five Pence;

And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Two Pence Halfpenny;

In Scotland and Ireland respectively, the Duty of One Penny Three Farthings: Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds."

MR. GLADSTONE: I do not propose to initiate any new discussion at this time of the night, or rather of the morning; but I wish to give a Notice, with reference to what has just fallen from the Chancellor of the Exchequer. He referred to some criticisms of mine, which I am aware were strong—stronger than I should have desired to make them had it been a matter of free choice. I could not complain of that. But he referred to certain matters, which are matters of fact, with regard to the financial proceedings of 1860, and I think him so entirely wide of the mark, that it will be necessary for me to offer an explanation to the House. I will take an opportunity of doing it at some future time, and probably the occasion of Committee of Ways and Means will be the most convenient one. I beg to move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gladstone.*)

THE CHANCELLOR OF THE EXCHEQUER said, of course, it would be impossible to proceed with these Resolutions if they really were objected to; but he was not aware that that was the case. He did not suppose, for instance, that there would be any objection to passing the Resolution for the Income Tax, which stood at the same rate now as it did last year. It was very inconvenient that these Resolutions should remain in abeyance for any length of time. Unless, therefore, there was a serious intention to challenge these Resolutions for the imposition of Parliamentary taxes, he hardly thought it was necessary to oppose their passing. Of course, on the other hand, if there were a serious intention of opposing these Resolutions, the Government would not oppose the Motion for reporting Progress.

MR. GLADSTONE said, he thought it was understood that he wished to clear up some misunderstanding as to his financial policy, and to explain the true state of affairs. He wished to do that in the most regular mode, and it certainly ought to be done at the earliest possible opportunity after the statement was made. At the same time, he was aware of the inconvenience to which the Chancellor of the Exchequer had referred, and he would be sorry to interfere with the passing of the Resolution. There would, he presumed, be a subsequent Resolution of a different nature.

SIR HENRY SELWIN-IBBETSON said, there would be one to amend the Customs and Inland Revenue Bill.

MR. GLADSTONE observed, that that Resolution would give him the opportunity he wanted, and, therefore, he should have no objection to taking the Resolutions now.

SIR WILFRID LAWSON asked if there would be any further opportunity of discussing the whole financial policy of the Government?

THE CHANCELLOR OF THE EXCHEQUER replied, that there would be at least four or five opportunities, because it would be necessary to bring in a Bill to carry out these Resolutions, which would have to go through the usual stages.

SIR WILFRID LAWSON said, there were a great number of hon. Gentlemen below the Gangway on that side of the House who thought this question to be a most important one to bring before the House, and who were very anxious to express their opinion upon it. They had been anxious to speak on the Resolution just defeated, and, having failed, they were still most anxious to express their opinion on the financial policy of the Government.

Motion, by leave, *withdrawn.*

Main Question put.

Resolved, That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy nine, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):

For every Twenty Shillings of the Annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Five Pence;

And For every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—

In England, the Duty of Two Pence Halfpenny;

In Scotland and Ireland respectively, the Duty of One Penny Three Farthings;

Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of "The Customs and Inland Revenue Act, 1876," for the relief of persons whose income is less than Four Hundred Pounds.

House *resumed.*

Resolution to be reported *To-morrow;*

Committee to sit again upon *Wednesday.*

PROSECUTION OF OFFENCES BILL.

[BILL 68.]

(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley.*)

COMMITTEE. [*Progress 24th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Establishment of Office of Solicitor for Public Prosecutions).

MR. NEWDEGATE said, a great many Gentlemen had gone home, not at all expecting that this Bill would be proceeded with at that early hour of the morning. A very broad principle and a very important issue was involved in this measure, and, therefore, he really hoped the right hon. Gentleman (Mr. Assheton Cross) would not press the Committee to continue their work. He begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Newdegate.*)

MR. ASSHETON CROSS said, they were at the end of the 3rd clause, and certain verbal Amendments were necessary in the 4th and 5th clauses to carry out provisions already passed. He proposed to make these, and then he would move to report Progress.

MR. SERJEANT SIMON asked if this clause had been passed as it stood?

MR. ASSHETON CROSS replied that it had.

MR. NEWDEGATE said, other hon. Gentlemen had Amendments on the Bill before the stage indicated, and he did not know whether the right hon. Gentlemen had arranged with them or not. He had also undertaken not to proceed with it after 1 o'clock in the morning, and as the Bill raised very considerable issues——

MR. ASSHETON CROSS said, he was misunderstood. He only proposed to make certain necessary and formal Amendments in the 4th and 5th clauses, and then he would himself move to report Progress, in order that the hon. Member might discuss the issues to which he had alluded.

MR. MONK pointed out that there was a very important Amendment on the Paper in the name of the hon. Member for Liverpool (Mr. Rathbone)——

MR. ASSHETON CROSS explained that that had been agreed to.

MR. NEWDEGATE said, he would be perfectly contented if the right hon. Gentleman would postpone taking the discussion on the Bill.

MR. BARING asked whether the Amendment of the hon. Member for Liverpool (Mr. Rathbone) had been accepted on all sides of the House? He thought it was far better that they should report Progress, and discuss the Bill deliberately at another time.

MR. DILLWYN remarked, that he understood the right hon. Gentleman only wished to dispose of certain formal Amendments.

MR. DUNDAS said, he had an Amendment at the end of Clause 3, and he believed that clause was not yet actually passed.

MR. E. JENKINS asked if that were so? There seemed to be some inconsistency between the statements of the right hon. Gentleman.

MR. ASSHETON CROSS replied, that he only asked to be allowed to take purely formal Amendments down to the end of Clause 5. He did not think anybody had understood Clause 3 to be postponed.

MR. DODDS thought this was a most important Amendment, and that, considering the lateness of the hour, they had far better report Progress.

Mr. ASSHETON CROSS quite admitted that the Amendment of the hon. Member was a most important one, and when they reached it, it certainly ought to be discussed.

Mr. DODDS could not admit that the Amendment of the hon. Member for Richmond (Mr. Dundas) was unimportant. It had excited great attention outside the House, and it was one upon which they had had very strong expressions of opinion from those who would be affected by it. He trusted, therefore, that Progress would be reported.

Mr. ASSHETON CROSS said, he did not object to reporting Progress the least in the world; but he thought they might have disposed of some unimportant Business first.

Motion *agreed to*.

House *resumed*.

Committee report Progress; to sit again upon *Thursday*.

VALUATION OF PROPERTY BILL.

[Bill 71.]

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

COMMITTEE. [*Progress 21st March.*]

Order for Committee read.

Mr. CLARE READ said, he understood that the Bill was shortly to be taken at a Morning Sitting. He did hope that they would not have Morning Sittings for Bills of this description.

Sir HENRY SELWIN-IBBETSON said, it was very difficult to satisfy the wishes of all Members, for he had been asked to give a Morning Sitting for this Bill by the hon. Member for South Leicestershire (Mr. Pell). It was the intention of the Government to ask for a Morning Sitting either for this or some other Bill; but he would take care the hon. Member had ample notice of what they intended to do.

Committee *deferred* till *Thursday*.

LICENSING ACTS AMENDMENT (SCOTLAND) BILL—[Bill 124.]

(*Mr. Mark Stewart, Sir George Douglas, Dr. Cameron, Sir Graham Montgomery.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mark Stewart.*)

Mr. ONSLOW said, he objected very strongly to Bills like this one being brought forward by private Members. If this question of the licensing law was to be taken up at all, it should be taken up as a whole by the Government of the day. None of them knew anything of what this Bill proposed to do, and they had had no explanation of it. The right hon. Gentleman who represented the Home Office was not present; and yet they were asked, on the mere *ipse dixit* of the right hon. Gentleman, to read this Bill a second time. As a mere matter of protesting against such proceedings, he should go to a Division. He therefore moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Onslow.*)

Mr. MARK STEWART said, he did not think it necessary to go into any detailed explanation of this Bill, for its principle had already been before the House in the English measure from which it was copied. It consisted of only one clause of importance, and that required that when a new certificate was applied for the licensing authority should take into consideration the character of the population and the circumstances of the neighbourhood, and should insist upon a requisition being placed before them, to enable them to decide whether the licence was really wanted or not, and should examine witnesses on oath. The provisions were very simple, and he did not think he need detain the House further.

Question put.

The House *divided*:—Ayes 12; Noes 43: Majority 31.—(Div. List, No. 76.)

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

LOCAL GOVERNMENT PROVISIONAL ORDERS (ABERGAVENNY UNION, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Abergavenny Union, the Borough of Bolton, the Local Government District of Claylanes, the Rural Sanitary District of the Clutton Union, the Darenth Valley Main Sewerage District, the Rural Sanitary District of the Great Ouseburn Union, the Borough of Halifax, the Local Government District of Huyton-with-Roby, the Port of Lowestoft, the Improvement Act District of Lowestoft, the Boroughs of Preston and Saint Helens, and the Local Government Districts of Stone and Widnes, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 137.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 29*th April*, 1879.

MINUTES.]—Public Bills—*First Reading*—Children's Dangerous Performances * (64); Land Drainage Provisional Order (Bispham, &c.) * (65).

Second Reading—General Police and Improvement (Scotland) Provisional Order (Paisley) * (57); General Police and Improvement (Scotland) Provisional Order (Inverness) * (56).

SOUTH AFRICA—THE ZULU WAR—THE DESPATCHES.—QUESTION.

Earl GRANVILLE: I beg to ask the Under Secretary for the Colonies, Whether the Government has received any further news from South Africa?

Earl CADOGAN: We have received one telegram to-day from the Government House, Cape Town, dated April the 8th. The Administrator of the Transvaal telegraphs on April 4—

> "High Commissioner expected at Pretoria on the 10th. All well. Garrison of Ekowe at Fort Pearson to-day. No further special news."

RAILWAYS (IRELAND)—THE LETTERKENNY RAILWAY BILL.

QUESTION. OBSERVATIONS.

The Earl of REDESDALE said, as he saw the noble Viscount (Viscount Lifford) who had recently brought forward the question of narrow-gauge railways in Ireland in his place, he would like to ask him a Question as to a Notice of Motion which he had put on the Paper with regard to the re-committal of the Letterkenny Railway Bill. This Notice originally stood for last Friday, but the noble Viscount had since placed it on the Paper without any date being fixed. In his (the Earl of Redesdale's) view the Motion ought to be heard at once, and there was no reason why it should be hung up in the way it was, indefinitely, without his knowing anything more about it than that the noble Viscount proposed to

> "Call attention to the Report from the Committee on the Letterkenny Railway Bill on the 27th day of March, and to move that the Bill be re-committed in order to consider the expediency of empowering the Letterkenny Railway Company to construct their railway upon the gauge of three feet, provided that the Londonderry and Lough Swilly Railway Company concur in altering or adopting their railway for use upon the same gauge."

If it were proper to propose the re-commitment of the Bill, the noble Viscount should either move it directly or withdraw the Motion?

Viscount LIFFORD said, the noble Earl had placed him in one of the most unpleasant positions he had ever occupied. He assured the House that he had only brought forward the Notice of Motion he had given under a strong sense of duty. He must add, that he believed the noble Earl had come to the decision he had arrived at with regard to the Bill on insufficient evidence; and he felt certain that if the noble Earl would go a little deeper into the matter, and consider it once again, he would relieve him from the painful position in which he had been placed. He would, however, give Notice to-morrow as to the day on which he would bring forward his Motion.

TRADE—FREE TRADE AND RECIPROCITY.—RESOLUTIONS.

Lord BATEMAN rose to call the attention of the House to the past and present operation of the Free Trade policy of this country without Reciprocity, and to its effect on the various Home and Colonial industries, and on the Revenue and Taxation of the Kingdom; and to move Resolutions in favour of Reciprocity and Parliamentary inquiry. The noble Lord said that, in venturing to bring so momentous a subject before their Lordships, he hardly knew whether he was most appalled at the magnitude of the question or overwhelmed by his boldness in taking it up. Before him he saw the noble Earl the Leader of the Opposition, supported by a phalanx of

Free Traders—all, no doubt, prepared to speak and vote against him; around him were the Members of the Party with whom he had acted since 1852—and if antecedents were to go for anything he should receive their cordial support, though whether he should or not remained to be seen. Under these circumstances, he threw himself on the indulgence of their Lordships while he dealt with a subject which it was most difficult for a man who was not in trade or acquainted with commercial pursuits to tackle. Having taken the matter up he could not, in justice to those who had previously supported him, shrink from again bringing it under the notice of Parliament. He should hardly be expected to dilate at length on the blessings of so-called Free Trade. He never was an admirer of Free Trade, and still less of Free Trade as it stood at present. He would leave the blessings of Free Trade to be extolled by the noble Earl the Mover of the Amendment, who could speak of them with more grace and nerve, because he approved Free Trade as at present exercised. The object of his first Resolution was to assert that we had no real Free Trade—that that which existed was not real, fair, and unrestricted Free Trade. He admitted frankly that this country had derived very great benefits from the adoption, to a certain extent, of Free Trade. He was old enough to remember the debates on the repeal of the Corn Laws in 1849, and in that year he seconded the Address from the other side of the House. At that day he was no Free Trader. Although he was a general supporter of the Government of Lord John Russell, the question of Free Trade was one on which he could not go with the Party he had previously supported. He reserved his opinion on the question in the speech he made in 1849, and he had never regretted the course he then took. Still, he was bound to say that the experience of 30 years had convinced him that the repeal of the Corn Laws, carried as it was at a time of great depression and threatened starvation, was a wise and beneficent measure, from which the working classes and the people of this country had derived such benefits as he did not at the time contemplate or calculate upon. He owed this admission to the memory of the late Sir George Cornewall Lewis, to the eloquence and foresight of the right hon. Member for Birmingham (Mr. Bright), to Mr. Charles Villiers, the Member for Wolverhampton, and others who advocated the measure and carried it. When he spoke of the benefits which had resulted from the repeal of the Corn Laws, it did not follow that Free Trade had been a real benefit as it had been carried out since that time—and for this reason. Free Trade, as suggested and proposed by Mr. Cobden, was supposed to be universal Free Trade. It was not expected to be Free Trade which was to be confined to this country and rejected by all others; nothing of the sort. The Free Trade Mr. Cobden wished to establish was Free Trade all over the world—unrestricted, fair Free Trade—a universal system of exchange and barter all over the world. Nothing could be more glorious than such an idea if it had been carried out—nothing could be more conducive to peace and prosperity among the nations generally than unrestricted Free Trade. But it was perfectly clear and well understood that the system had not been carried out. It was true that by Commercial Treaties an attempt had been made to carry out the principles of Free Trade; but there was no denying the fact that this country stood alone in its Free Trade policy. But this was not Free Trade at all; it was Free Trade on the part of England and protective duties on the part of nearly every other country. We could not get the countries of Europe to adopt it and to enter into Commercial Treaties with us. France denounced the Treaty with her; and, although one had been concluded with the little Kingdom of Servia, none had been entered into with Germany, Russia, or the United States. What had this one-sided Free Trade brought us? He supposed that for many years we had not experienced so much depression, distress, and misery as now, when so many classes were on the verge of ruin. Go where you would, among the factory, shipping, railway, mining, and agricultural interests, there was nothing but the same cry all round. How could we call that satisfactory Free Trade, when nothing could be worse than the condition of things it had produced? Every branch of trade was depressed. Whether the Exchequer would be able to make both ends meet he would not stop to inquire. Enterprize was languishing, and the imports from other countries were overstocking our markets. Great Britain stood alone in her Free Trade theories. Not a single country in Europe, beginning with France and Germany and ending with Spain and Switzerland—to say nothing of the United States or our Australian Colonies, and he might now add the Dominion of Canada—could be cajoled by the most specious temptations to follow our example by opening their ports unrestricted by safeguards in the shape of duties to protect their native industry. Was that a good result of the Free Trade policy of this country? The noble Earl opposite (the Earl of Airlie) was going to move an Amendment to his 1st Resolution by expunging the word "real"—if the noble Earl thought that "real" Free Trade he could not agree with him. What had convinced him during the last 30 years that the repeal of the Corn Laws was a wise measure was the fact mentioned by Lord Macaulay in a very remarkable passage in his book, which was a perfectly true description of the state of Stockport in 1841. More than half the master spinners had failed before the close of 1842, dwelling-houses to the number of 3,000 were shut up, and the occupiers of many were unable to pay the rates; 5,000 of the inhabitants were in deep distress, and Government funds were sent down to relieve the inhabitants. That was the state of things which induced the repeal of the Corn Laws. At that time, he admitted, the measure was justified by its results. But Sir Robert Peel went further than this; he carried out what was called Free Trade in regard to manufactures. No doubt, that also was productive of great prosperity to the mercantile classes; but that prosperity, after all, was of an ephemeral character, being founded on no real good basis, and undoubtedly it was accompanied by very severe depression of the agricultural interests. Proceeding by what had since been called "leaps and bounds," the inflation of trade was not altogether due to the repeal of the import duties and the establishment of Free Trade in manufactures. Shortly afterwards a most unexpected discovery was made. The discovery of gold in California and Australia entirely altered the aspect of things. He believed if that discovery had not been made, the present state of things would have occurred shortly after the repeal of the Import Duties by Sir Robert Peel; but as a consequence of the discovery of gold much speculation was excited, and an impetus was given to trade, which for a time was in a healthy and flourishing state; but it was not founded on a firm and durable basis. The gold mines were not producing so much as they did, and hence the serious effect on the trade of the country, which had already begun. In addition to the discovery of gold, there were the invention of the electric telegraph, improvements in steam, and a great development in railways, all producing a mania for rushing into trade and speculation to a large extent. But, although that continued for some time, it had no fair or true basis. Then there was the great inflation of trade in 1873. What was the history of that? There was a confederation of large producers of iron and coal, and manufacturers to run up prices. What was the consequence? Everything except bread was run up to famine prices, and the consumers had to pay for it. Great fortunes were made at the expense of the consumer, and large profits in every direction. It was impossible that that could last; and now that state of things was coming to an end—the Free Trade, the over-speculation of those years were now bearing their legitimate fruits, manufacturers were crying out that trade in all its branches was depressed; and it was impossible to foretell what might happen in the next 12 months. What was real Free Trade? They had still very heavy duties in force in the country. On what principle of Free Trade did they impose a duty on tea, on coffee, on chicory, or dried fruits? £4,000,000 a-year was raised from the duty on tea, and £8,000,000 a-year from the malt tax. This last tax came from the pockets of those who grew barley, and the farmers were certainly entitled to a repeal, if not of the whole, at least of half, that duty. He did not call it Free Trade when we maintained duties on articles of consumption. He would like to see the duties on articles of consumption within the reach of the working classes wholly removed. He thought the idea of the right hon. Member for Birmingham (Mr. Bright) as to "a free breakfast table" was a good one, and one more likely to attach the working classes to those with whom they were connected than anything else that could be devised. As long as we taxed tea, coffee, chicory—things which entered into the consumption of every old woman in the country—we were taxing those who ought not to be taxed—we were taxing the working classes, for whose benefit he would like to remove every one of those taxes. To tax the food of the people was a mistake; and that was the reason why, after 30 years' experience, he retired from the opposition he once gave to the repeal of the Corn Laws and to a Free Trade policy. He had received a letter on this subject from a very old man, which he would like to read. [The noble Lord then read the letter, which was to the effect that Free Trade, as laid down by Adam Smith, was beyond question, but only on the assumption that it was generally adopted by other nations, and that could not be done except when the Rulers of those countries acted on one principle.] When Free Trade was introduced in this country the precautions of Adam Smith were disregarded—Great Britain was to be the workshop of the world, and all other nations humble customers; but now we imported £150,000,000 more than our exports, and no previous accumulations could long stand such a strain. The political consequences were even worse; England was possessed of the largest and at the same time the most scattered Empire in the world, and the result of the adoption of the Free Trade policy had to some extent the effect of alienating them from us. Our Colonies, acting upon the principle of protecting their own industries, separated themselves completely from Free Trade, and the only tie that remained to bind them to the Mother Country was family affection and love for the old country. This was to be seen exemplified in the course that had been adopted in Canada, in the Australian Colonies, and in one-half of our Dependencies, who found it impossible to follow our lead, and who had adopted a defensive, if not a hostile, commercial policy. That was a very serious thing. He held that we had done wrong to loose our hold over the Colonies, and he hoped to live to see the day when the Colonies and the Mother Country would form far more binding ties than those which existed between them at this moment. [The noble Lord then proceeded to refer to a book of Professor Fawcett's, which, he said, was one of the cleverest books he had ever read from the Professor's point of view.] Though he had not the pleasure of knowing Professor Fawcett, he felt bound to congratulate him on the ability with which he advocated his views. But it was all very well for the Professor to say that the prosperity of a country consisted in her imports. He (Lord Bateman) had always understood that the greatness of a country consisted in her exports, which meant her own products. But it appeared by Mr. Fawcett's book that he considered that the imports coming into a country were as valuable an indication of prosperity as the exports going out of it. Here were a few statistics which would show how largely, while our imports had increased, our exports had fallen off. In the four years 1871-1874—the period of the greatest inflation of Free Trade and commercial prosperity—the gross value of our imports amounted to £1,427,000,000; in the next period of four years, 1875-78, their gross value was £1,511,000,000. Consequently, the excess was no less than £84,000,000 gross value in the latter four years. The gross value of the exports of British produce in 1871-1874 was £974,000,000; in 1875-1878 it was £817,000,000; showing a diminution in the gross value during the latter period of £157,000,000. The value of the exports of foreign and Colonial products for 1871-1874 was £233,000,000, and for the second period £220,000,000. The gross value of the imports in the first period being £1,427,000,000, and the gross value of the exports, British, Colonial, and foreign, £1,207,000,000; that gave an excess in the gross value of imports over exports for that period of £220,000,000. If that was a proof of the prosperity of the country, all he could say was, it was a new theory. At the present moment Prince Bismarck was busy with the German tariff, which would probably increase the protective duties in Germany to a very large extent; and it was well known that there was very little chance of a Commercial Treaty, in any form, being revived with France. Therefore, before the end of the year 1879, trade would probably be very much worse than it was at present. Then there was the old exploded theory, according to Sir Louis Mallet and others, of what was vulgarly called "the balance of trade." It appeared to him that this balance of trade was a great test of a country; but they did not hold that opinion. They had, in fact, forgotten what Adam Smith called the balance of annual produce and consumption. This was what Adam Smith said—

> "There is another balance, indeed, which has already been explained, very different from the balance of trade, and which, according as it happens to be either favourable or unfavourable, necessarily occasions the prosperity or decay of every nation. This is the balance of the annual produce and consumption. If the exchangeable value of the annual produce, it has already been observed, exceeds that of the annual consumption, the capital of the society must annually increase in proportion to this excess. The society in this case lives within its revenue, and what is annually saved out of its revenue is naturally added to its capital, and employed so as to increase still further the annual produce. If the exchangeable value of the annual produce, on the contrary, fall short of the annual consumption, the capital of the society must annually decay in proportion to this deficiency. The expense of the society in this case exceeds its revenue, and necessarily encroaches upon its capital; its capital, therefore, must necessarily decay, and, together with it, the exchangeable value of the annual produce of its industry."—(Smith's *Wealth of Nations*, Book 4, chap. 3, p. 250.)

A Board of Trade Return showed that of 13 articles of importation, raw and manufactured, we had imported during the three years of our severe depression, from 1875 to 1877, £60,000,000 worth more than in the so-called period of prosperity, from 1871 to 1873. The noble Earl (the Earl of Airlie) who was going to move an Amendment to his Resolution said he was perfectly satisfied with Free Trade as it stood. But the very fact of making Commercial Treaties was neither more nor less than an abandonment of Free Trade. This, he (Lord Bateman) thought, could not possibly be denied. Commercial Treaties were entered into by the Government of the time, simply because no other country in Europe would accept a policy which was supposed to be so grand and so universal. This was a severe blow to the policy initiated and intended to be carried into effect by Mr. Cobden. If that hon. Gentleman were alive at this moment, no man would be so deeply hurt at the failure of his doctrine of universal Free Trade. The doctrine which Mr. Cobden thought would be universally adopted had been rejected, scoffed at, and entirely put on one side by every foreign nation. Mr. Cobden went to Paris, and, failing to secure the adoption of his Free Trade policy, he entered into the Commercial Treaty as a sort of *pis aller* or makeshift. What were the results of the French Treaty? Article 5 of the Preliminary Treaty of January 23, 1860, stated that Her Britannic Majesty engaged to recommend Parliament to abolish the duties on the importation of foreign articles, including the entire range of manufactures of whatever description. What did England get in consideration of this great concession? His Imperial Majesty the Emperor of the French engaged that on articles of British production and manufacture imported from the United Kingdom to France, the duties should in no case exceed 30 per cent. Nothing on one side, and 30 per cent on the other! France took care to exercise the power given her under that Treaty. In the year 1877 the balance of trade against England was £20,000,000. He asked the Secretary of State for Foreign Affairs what had become of that Treaty? He did not think that we should see any more French Commercial Treaties. He did not believe that our manufacturers themselves wished to have a Commercial Treaty with France, or with any other nation, because their views and aspirations tended in a totally different direction. But was there any likelihood of our having Free Trade with France? Not a bit of it. The French would put us off with the most polite promises that the matter would be considered, and so on; but they would keep our manufacturers in a state of suspense, which would be worse than if they had a Commercial Treaty that was entirely hostile. He need hardly call attention to what was going on in Germany. *The Times* newspaper had called him a dodo, and asked out of what Cave of the Seven Sleepers he had emerged, for having advanced certain views which he thought were sound, and would be acceptable to the country; and it was attempted in that way to put an end entirely to the humble individual who was now addressing their Lordships. But he still survived; and the day had come when, he was happy to say, he had redeemed the promise, which he had previously made, that he would bring the question before the notice of

Parliament—with what success he left in their Lordships' hands. If he was a dodo, what was Prince Bismarck, of whom, in the same article, *The Times* made a present to him? Prince Bismarck, it was said, was of Lord Bateman's way of thinking. That was in 1877. *The Times* might as well have added that they made him a present of the late M. Thiers also, on the same grounds; for both of those great foreign statesmen might, by the same reasoning, be described as equally imbecile and antiquarian with himself on that subject. They were so stupid, and so thick-headed, that they did not see the advantages of Free Trade. Englishmen supposed they were the great pioneers of Free Trade, and assumed to themselves the greatest superiority over other nations, whether they deserved it or not. They were rather apt to under-estimate not only their enemies, as in Zululand, but those who were in competition with them. That was John Bull all over. But it was hardly rational to shut our eyes to facts, and to say that the French, the Germans, the Austrians, the Americans, and all who held Protectionist principles were a pack of fools. There was not a single country on the Continent of Europe, beginning with France and Germany, and ending with Switzerland and Spain, which would be persuaded or cajoled to open its ports to the free and unrestricted trade of all the world, or into accepting the injurious tenets of the Free Trade Party. Again, we had for a long time past been throwing away, in the most gratuitous manner, many millions sterling of Customs duties, which had been either repealed or reduced, simply as sops to the Free Traders, or as occasional sops to disarm opposition.

He now came to the subject of Reciprocity; and, before proceeding further, he wished to explain to their Lordships what meaning he attached to that word. It appeared to him that many persons had given their own versions, and explanations, and ideas of that word; but nobody had heard his, and he had taken considerable pains that no one should. For instance, a noble Earl had called it Protection in a fancy dress. That, however, was only an amusing figure of speech; and as the speaker was the grandson of the great Sir Robert Peel, he could, of course, be nothing else than a Free Trader. The noble Earl the late Secretary of State for Foreign Affairs (the Earl of Derby), whom they were all sorry to see sitting on the cross-benches, in a speech delivered at Rochdale, described Reciprocity as a disastrous folly. That was not the way to speak of a policy which, even although it happened to have been initiated by Lord Bateman, had taken deep hold of the people. [*A laugh.*] Their Lordships, he was convinced, were laughing not at the policy, but at Lord Bateman. The right hon. Member for Birmingham, in speaking on the subject, had, in language going beyond Anglo-Saxon, called those who agreed with him lunatics and simpletons. Had the noble Earl, instead of calling his proposal a disastrous folly, moved the Amendment which his noble Father brought forward in 1849, he would have done better service to his country. And as to the denunciation of Mr. Bright, he considered it rather the expression of a scold, than becoming the high-principled man he was. He (Lord Bateman), however, had the courage of his convictions as well as the noble Earl. His own definition of Reciprocity was that it was not necessarily Protection, and that it was in reality mutual interchange and barter for the benefit of both parties. They had reciprocity in feeling of love, and the only thing in which there was not Reciprocity was in commercial affairs. He did not ask for Protection; but he contended that if there were no Reciprocity there could be no Free Trade. Reciprocity ought to be regarded as the coping-stone of the Free Trade system. It was the one thing wanting to the establishment of that universal Free Trade which everyone desired, but which had not yet been secured. He would illustrate the meaning of Reciprocity by referring to the duties on tea. Out of the £4,000,000 raised by the duties on tea, £1,000,000 was derived from our own Indian Empire. Now, the other day we had remitted £200,000 of cotton duties—that was to say, we made the Indian Empire pay £1,000,000 on tea, and £200,000 for the cotton imported from this country. This was unfair. If we had done away with the £200,000 on cotton, and had, at the same time, relieved our Empire from the £1,000,000 that was derived from tea, we should have been illustrating the principle of Reciprocity. He held in his hand two letters which bore upon the subject of Reciprocity—one from the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), and the other from Sir Stafford Northcote. These letters expressed very diverse views, and, curiously enough, it was the Chancellor of the Exchequer who condemned Reciprocity, and the right hon. Gentleman the Member for Greenwich who spoke in its favour. The right hon. Gentleman said he had no doubt that the increased benefit from Reciprocity in Free Trade would be very great. The noble Earl the present Prime Minister had given this principle a still more powerful support. The time of depression through which we were passing had been very severe and prolonged, and he thought it would be a wise thing to do at once what would eventually be forced upon them—namely, to institute an inquiry into the causes of that depression, and the best mode of remedying it. They would delude themselves if they thought the policy of Reciprocity was not worth discussing. If he was not mistaken, it would be a powerful cry at the next General Election. But it might be asked what was his idea of Reciprocity—how did he propose to carry it out? Well, in the first place, he would propose a close federation between England and her Colonies in all parts of the world, establishing between them Free Trade in the most unrestricted sense. In New Zealand there were hundreds of thousands of quarters of wheat annually used as manure, or thrown into the sea, simply because California being nearer to this country than New Zealand, the New Zealander found it impossible to send his wheat to us under present circumstances at a profit. That was not a state of things which ought to exist, and by the addition of a very small import duty, which could hardly be considered a duty at all, and which would not be felt, we could secure our trade with New Zealand. Again, could anything be more disastrous or more painful to witness than the position occupied by Canada at the present moment? There was no doubt that the Canadian tariff would act most injuriously on the trade of this country; and it was by no means certain that the Colony of Victoria would not follow suit. There was no cohesion between the Mother Country and its Dependencies, such as ought to exist. We relied upon foreign imports, and shut out entirely our own Colonies from trading with us. Under the system he proposed, every scrap of import duty on Colonial produce would be abolished, and the result, he believed, would be that we should be able to snap our fingers at all foreign countries, being no longer dependent upon them. A small deficiency of Revenue would, of course, have to be met; but it might easily be made up by a tax upon intoxicating liquors, which would, at the same time, have a beneficial effect upon the country by diminishing drunkenness, which was the curse of this country. If that were not enough, some other small indirect tax might be levied. He was advocating, not Protection, but Reciprocity—which meant a mutual exchange of benefits. They should urge it upon all foreign nations, and if those foreign nations accepted it, they might be invited to enter into the federation of which he had spoken with our own Colonies. If they refused it, the question of import duties would, of course, arise. But he did not wish to talk about Protection. He did not wish to mention the word. At the same time he would admit that, in his opinion, if foreign nations would not accept the principle of Reciprocity, we ought, by way of inducing them to do it, to impose a certain small restriction—he did not care how small—on foreign imports. The inquiry he asked for was expected by both the manufacturing and agricultural classes of this country, because it was impossible to ignore the existing distress, amounting in some places almost to starvation, and he trusted it would be conceded, not only in sympathy, but as a matter of justice. The noble Lord concluded by moving the Resolutions.

Moved to resolve—

"1. That this House, fully recognizing the benefits which would result to the community if a system of real free trade were universally adopted, is of opinion that it is expedient in all future commercial negotiations with other countries to advocate a policy of Reciprocity between all inter-trading nations; and

"2. That the long continued depressed state of the commercial, manufacturing, and agricultural interests should form the subject of a full Parliamentary inquiry, with the view of ascertaining the causes, the best means of redress, and of counteracting the injurious effects of the excessive tariffs levied by foreign nations against the produce and manufactures of this country."—(*The Lord Bateman.*)

THE EARL OF AIRLIE: My Lords, before I touch upon the arguments by which my noble Friend (Lord Bateman) has supported his Resolutions, I ought, perhaps, to state why it is that I propose to ask your Lordships to amend them, instead of contenting myself with voting in favour of a Motion to negative them. The two Resolutions are widely different in character. The 1st Resolution appears to me to be almost harmless as it stands; and if your Lordships should be pleased to modify it in the manner I have suggested, I think it will become altogether innocuous. I had at first some doubts whether it was worth while to object to the word "real" in the 1st Resolution. But those doubts were removed when I heard the speech of my noble Friend. He evidently thinks that the trade of this country is not really free, if other countries do not admit our goods on the same terms as we admit theirs; or if we impose Customs duties of any kind, even though those duties may be imposed simply for purposes of Revenue, and on articles which are not produced here. I differ from him on both those points; and, therefore, I propose to leave out the word "real." As regards the words at the end of the 1st Resolution, I think the Resolution is hardly consistent with itself. My noble Friend starts with a very ambitious programme; he aims at nothing less than universal Free Trade. But the Resolution concludes by affirming that we ought to advocate a policy, not of Free Trade, but of Reciprocity. And though my noble Friend set out by declaring that what he meant by Reciprocity was neither Protection nor retaliation, yet when he discloses the means by which he intends to give effect to his policy of Reciprocity, it appears that he has recourse both to retaliation and Protection. He tells us that he has become a convert to Free Trade in corn. Yet he proposes to put a duty on American wheat, in order to balance the extra cost of carriage of Australian wheat.

LORD BATEMAN: A Customs entry.

THE EARL OF AIRLIE: It matters not by what name you call it; the duty, or Customs entry, is imposed in order to handicap American wheat in the competition with Australian produce. My noble Friend told us that Reciprocity meant the free interchange of commodities. That is what we all desire; but if foreign countries should decline to admit our goods on the terms which he thinks just, then he proposes to bring them to a better frame of mind by placing protective duties on the articles which we import from them. That is retaliation; and I contend, therefore, that I have shown that the scheme of my noble Friend involves both Protection and retaliation. If your Lordships should agree to the Amendment which I propose at the end of the 1st Resolution, it will then simply amount to a recommendation that we shall avail ourselves of all suitable opportunities to induce foreign countries to relax their protective duties. I know there are some persons who object to Commercial Treaties as being opposed to the principles of Free Trade. I do not share their opinions. The affairs of this world cannot be conducted altogether in accordance with abstract principles. We have to be guided also by practical considerations. I think, for example, that the Treaty with France was productive, while it lasted, of great benefits to this country. I am very sorry that it was denounced; and I trust that it may be renewed, if possible, on better terms. Besides, whether or not we consider Commercial Treaties to be in accordance with the abstract principles of Free Trade, the question has ceased to be a practical one; we have negotiated many Commercial Treaties, and it is too late now to recede. My Lords, while I think the 1st Resolution, amended as I suggest, will be harmless, I do not think it is very urgently called for. I am not a supporter of Her Majesty's Government, I am no admirer of their foreign policy; but I am bound to say that I do not think they have been slack in endeavouring to obtain commercial advantages for this country. And as regards the Department specially charged with the negotiation of Commercial Treaties, over which the noble Marquess (the Marquess of Salisbury) presides, I think anyone who has watched the public career of my noble Friend, who has read the speeches which from time to time he has addressed to deputations on commercial matters, or who has looked at the Correspondence which has been laid on the Table with respect, for instance, to the renewal of the Treaty with France, the Correspondence as to the duties on Spanish wines, on the importation of mineral oils into France, and other matters of that kind, must see that the noble Marquess is very earnest in endeavouring to obtain the relaxation of tariffs which operate injuriously to this country. The 2nd Resolution stands on entirely different ground from the first. It is full of mischief. I object to that Resolution from the first line to the last letter. The Resolution begins by demanding a full Parliamentary inquiry into the cause "of the present depression, with the view of ascertaining the causes and the best means of redress." Now, I agree entirely with what the Prime Minister is reported to have said in a speech delivered in this House before the Easter Recess. I had not the advantage of hearing that speech, but I read the report of it with great attention. The noble Earl is reported to have said that he did not think an inquiry was necessary, and that it was not in the power of the Government or the Legislature to apply a remedy. I entirely concur in those views. I think a Parliamentary inquiry would be not only useless, but mischievous, as it would tend to excite hopes which could not be realized. The Resolution goes on to say

> "That it would be expedient to counteract the injurious effects of the excessive tariffs levied by foreign countries against the produce and manufactures of this country."

This concluding paragraph points distinctly to a policy of retaliation; and I hope to be able to show your Lordships that such a policy would be both mischievous and impracticable. The noble Lord is very much distressed because the value of the imports has of late years considerably exceeded the value of the exports. I hope he will forgive my saying that the passage he has quoted from Adam Smith has really no bearing on this matter. Adam Smith says that a nation which consumes more than it produces is in a bad way, just as an individual is in a bad way if his expenditure exceeds his income. But that has not necessarily anything to do with the relative value of imports and exports. I do not care to dwell on the fact that the value of imported articles appears to be higher than that of those which are exported, because in the one case the valuation is made after the cost of freight, insurance, and other charges has been added, whereas there are no such additions in the case of exports. But I contend that it is a necessary condition of any profitable foreign trade that the imports should exceed the exports in value. The trade of this country, that which figures in the Board of Trade Returns, is, after all, only the aggregate of the operations of individual traders. Now, suppose a merchant exports to France or the United States goods which have cost him, say, £10,000, and receives in exchange goods which he is able to sell for £15,000, would anyone say that this man is likely to find his way into *The Gazette* because he has received in exchange for the goods he has sent abroad articles which he can sell here for a higher price than the goods he has exported have cost him? Take the case of that which is perhaps the most profitable trade of any, though probably not a very large capital is embarked in it—I mean the trade carried on by barter with savage nations. A merchant purchases in England glass beads, gaudy cheap cloths, and other things of that kind, and consigns them to his agent at Lagos, or somewhere else on the African Coast. He receives in exchange for these articles ivory, palm oil, and other articles, probably worth at least ten times what he has sent out. His imports exceed his exports in value enormously; but would anyone say that he was, therefore, in a fair way to be ruined? Well, then, I want to know, if individual operations of that kind are profitable, do they become diastrous when multiplied by 1,000, or 10,000, or 20,000? My noble Friend had no difficulty in showing, what we all admit and deplore, that there exists in this country, and has existed for some time, great depression and stagnation of trade; but I think he altogether failed to show that this state of things was owing to the fact that we had adopted the principle of Free Trade. He went back to the years 1871-2-3, which he himself admitted had been years of great, indeed of unprecedented, prosperity, and he pointed out that since that time there had been great depression in trade. But he might have remembered that Free Trade has been in full operation, not for five years only, but for more than 30 years; and I therefore fail to understand by what process of reasoning he has arrived at the conclusion that the present depression is owing to Free Trade. If, indeed, he had compared the condition of this country with the condition of those countries which enjoy what I suppose he would call the advantages of Protection, and if he had shown us that the protected countries were in a better state than ourselves, or if he had compared the condition of this country now with what it was under the system of Protection, and had shown that we were worse off now than then, I admit that in that case he might have made out a *primâ facie* case for inquiry. But my noble Friend did not institute any such comparisons. I will endeavour in some slight degree to supply his omissions. As regards foreign countries, we know that in France, some 18 months ago, the manufacturers called for and obtained a Commission to inquire into the depressed state of their manufacturing industries. They complained that they were being undersold by English goods in their own markets. This, at any rate, does not look as if we were suffering grievously from the competition of France. As to Germany, we all know how severe the depression has been in that country. In Italy, the state of trade is not much better; and in Russia there exists what may be described as a state of complete paralysis and prostration. It may be said that to compare the condition of this country with that of European nations is hardly fair; that we enjoy exceptional advantages; that we do not keep on foot those enormous standing Armies, to maintain which a vast number of men is withdrawn from productive labour. I admit the force of the objection. We do enjoy exceptional advantages, though whether we shall continue to enjoy them when our new policy of Imperialism has been fully developed is perhaps open to question. But now let me compare our condition with that of a country which, as regards the necessity of keeping large armaments on foot, is even better off than ourselves. I mean the United States. They know that no one wishes to interfere with them, and they have very wisely up to this time refrained from interfering in the affairs of Europe. The Army, therefore, which they have to maintain is very small, even as compared with ours. They have an industrious and energetic population, an immense extent of fertile land, and from the size of their territory and the variety of their climate they can produce within their own borders almost anything they require. They have the most stringent protective tariff in the world. If, then, the theory is a sound one, that Protection is a panacea against commercial distress, they might be expected to enjoy a course of unbroken prosperity. But what are the facts? In the first place, the depression of which we are now complaining began in America at least a year before it was felt in this country. It was in the autumn of 1873 that we first heard of the great failures in New York. As regards the severity of the depression, it is not very easy to institute an exact comparison between the intensity of distress here and in the United States; but from all I can learn, the depression has been at least as severe—I am inclined to think it has been more severe—in America than in this country. We heard of wealthy families being reduced to indigence, of great meetings of starving workmen in New York, in Chicago, and elsewhere. In Pittsburgh the riots caused by the resistance offered by the workmen to the reduction in their wages, which the Railway Companies were compelled to make in consequence of the falling-off in their traffic, was more formidable by far than anything which has ever been known here. The town for some days presented the appearance of a besieged city—positions were taken by the rioters and re-taken by the troops, and property to the value of millions sterling was destroyed. I have here an extract from the papers of the American Iron and Steel Institute, a society which, I believe, collects very accurate statistics. It would appear from this Return that in 1878, out of 700 furnaces in the United States, only 260 were in blast. That does not look like a very prosperous state of things, though, no doubt, there has lately been a slight revival in the American iron trade. But, perhaps, the most remarkable indications of the nature of the crisis through which the trade of the United States has been passing are the statistics of the emigration to and from that country, quoted by Professor Fawcett. He informs us that, whereas from 1869 to 1873 about 200,000 persons on an average of each of those years emigrated to the United States from this country, in 1874 the number of those who went to the United States only exceeded the number who left it by about 1,000. Large numbers of workmen returned from America to England, because they found themselves better off here than in the United States. Professor Fawcett observes, also, that while in this country a considerable number of persons attribute the present commercial depression to Free Trade, there are many people in the United States who ascribe the stagnation which prevails there to the system of Protection which they have adopted. I own that I am disposed to attribute the present state of things, in the main, neither to Free Trade nor Protection, but to causes independent of either. Now, let us see how the condition of this country at the present time compares with what it was under the system of Protection. It was in 1842 that Sir Robert Peel commenced his reform of the tariff. If we look at the Board of Trade Returns for 1840-1-2, we find that the average value of our exports in each of those years amounted to about £66,000,000. In 1878, that year of extreme depression, that year which some persons tell us afforded an example of the disastrous effects of Free Trade, the value of our exports was £193,000,000, exclusive of foreign and Colonial produce re-exported. No doubt, the population had increased in the interval; but the increase in our export trade was out of all proportion to the increase of population. The population of this country doubles itself in about 100 years; but in the last 37 years our exports had increased nearly threefold. In 1842 the tonnage of British shipping was 6,100,000; in 1878 it was 30,000,000, nearly a fivefold increase. In 1842 the income tax produced about £750,000 for every penny in the pound; in 1878 a penny produced about £1,800,000, though a large number of persons are now exempted who formerly paid the tax. As regards the Excise, which affords a tolerably good test of the condition of the working classes, in 1842 it yielded about £15,000,000; last year it amounted to £27,000,000, and this in the face of large reductions of some Excise duties and the total remission of many others. The Revenue, which in 1842 was about £52,000,000, in the year just ended it has considerably exceeded £80,000,000. Therefore, whether we take the producing power of the country, as shown by the exports; or the volume of our foreign trade, as shown by the tonnage of our shipping; or the condition of the different classes of the people, as exhibited by the yield of the income tax and Excise; or the state of our finances, as illustrated by the amount of Revenue raised within the year, it will be seen that, even in 1878—which everyone admits to have been a year of extreme depression—we are in a far better position now, under a system of Free Trade, than we were in 1842 under Protection. No doubt, the distress at present is very great in many places; but I cannot believe that it is at all equal to that which prevailed in 1842 and 1843. If your Lordships will permit me, I will read, in proof of this assertion, an extract quoted by Professor Fawcett from Miss Martineau's *History of the Past* (vol. ii., pp. 520-1). The passage is as follows:—

> "The distress had now so deepened in the manufacturing districts as to render it clearly inevitable that many must die and a multitude be lowered to a state of sickness and irritability from want of food, while there seemed no chance of any members of the manufacturing classes coming out of the struggle with a vestige of property wherewith to begin the world again. 5,000 persons were walking the streets of Stockport in compulsory idleness, and the Burnley Guardians wrote to the Secretary of State that the distress was far beyond their management; so that a Government Commissioner and Government funds were sent down without delay."

That, I am happy to say, is a state of things of which we have as yet had no experience. The other day the Home Secretary stated that he had made inquiry, and had been informed that there was no distress which the Boards of Guardians could not cope with. And now a word as to the remedies which are proposed by those who advocate Reciprocity. They say, if foreign countries will not admit our goods, we must tax theirs. Now, out of articles to the value of £366,000,000, which we imported last year, by far the greater proportion consisted either of food, or of raw materials which are worked up here by our manufacturers. Only about 10 per cent consisted of manufactured articles. As regards taxing food, I will not discuss that question, because even my noble Friend disclaimed any intention of levying a tax of that kind, though he was not altogether consistent with himself. But how do you propose to proceed as regards these retaliatory taxes? I take the case of the United States, whose tariff is the most severely protective of all. You tell us you will not impose duties on corn or cattle coming from the States. Will you tax raw materials? We imported, last year, cotton from the United States to the value of about £22,000,000. Are you going to tax that? If you do, you raise the cost of manufacturing cotton against yourselves, and, practically, you will be giving a bonus both to the manufacturers of New England and to the European manufacturers who compete with you. You may say you will tax American manufactured goods. But, out of £78,000,000 which we imported from the United States in 1877, only about £8,000,000 was represented by manufactured articles. Do you really think that, by taxing this small proportion of their exports, you are likely to force the United States to adopt a more liberal tariff? Bear in mind that, while we imported about £8,000,000 worth, we exported to the United States—even in the face of their heavy tariff—goods to the value of £26,000,000; more than three times the amount which they sent us. I think it is much more likely, if you resort to retaliation, that the United States will endeavour to shut out this £26,000,000 worth of goods which we now send them. Moreover, if we adopt this system of retaliation now, every country in the world will say that we have given up our faith in the policy of Free Trade. The doctrine held by Tree Traders, by the great majority, as I believe, on both sides of this House, is that protective duties are injurious to the country which imposes them; that the removal of those duties is beneficial, because it enables us to purchase at the lowest prices articles which we cannot produce so cheaply at home; and that if we were to impose protective duties because other countries impose them, we should be injuring ourselves, and, therefore, doing an exceedingly foolish thing. The doctrine of those who advocate Reciprocity, as I understand it, is that in removing protective duties a country is making a sacrifice, which can only be compensated by corresponding sacrifices on the part of other countries. If then, we adopt this retaliating system, other nations will say—and will be justified in saying—that we have abandoned those opinions which, for more than 30 years, we have maintained in the face of the world, and that we have been converted to the views held by those who advocate Protection. I cannot, therefore, conceive any course that would be better calculated to postpone indefinitely the relaxation of hostile tariffs to confirm in their views those nations who hold to Protection, and in the case of those who may be wavering between Protection and Free Trade, to incline the balance heavily in favour of Protection. My Lords, in times of distress, people are apt to think that any change must be for the better. At such times, there will always be persons who are ready to advocate empirical remedies, and people who are credulous enough to take their advice. We have lately had an instance on the other side of the Atlantic. During the distress which prevailed in the United States, many persons there said that the depression was all owing to the attempt to resume specie payments, and that all would be well if only they could have an unlimited issue of paper money. Those Inflationists, as they were called, won some victories at the Elections, and, for a time, it seemed that there might be a possibility of their ultimate success. But the good sense of the American people came to the rescue, and they have now succeeded, in the face of considerable difficulties, in placing their currency on a sound basis. And so I believe that the good sense, the energy, the courage, and the industry of the people of England will carry them through their present difficulties, as those qualities have carried them through far greater difficulties in times past; that they will set aside these nostrums of Reciprocity, and other fanciful remedies of that kind, and that they will adhere to that policy of Free Trade which they have adopted after full deliberation, and under which they have attained to a height of commercial greatness, and have enjoyed an amount of prosperity and material well-being, without example, as I believe, in the history of the world.

THE DUKE OF RUTLAND, in supporting the Resolution, said, that, according to the noble Earl (the Earl of Airlie), the larger our imports and the smaller our exports, the better for the country. That was not the opinion of Adam Smith. What said Adam Smith? The noble Lord (Lord Bateman) had read a passage from Adam Smith, to which he was so anxious that the attention of the House and the country should be drawn, that he would venture to detain the House by again reading it. His noble Friend (Lord Bateman) had stated that the excess in value of our imports over our exports in the four years—1875-78—was no less than £474,000,000. He would ask the noble Earl if that was a safe position for this country to occupy? His noble Friend, who, in introducing this subject to their Lordships' notice, had almost exhausted the arguments which could be used on this occasion, referred to a letter of Mr. Bright. He (the Duke of Rutland) did not desire to go over the same ground, but he also was anxious to refer to that letter. He had always a very high opinion of Mr. Bright, though he differed *in toto* from his view of economical principles. His noble Friend had said, very rightly, that it was not in accordance with the general courtesy observed in the Houses of Parliament to call each other such names as "simpletons;" but Mr. Bright said that the Reciprocity notion was exactly adopted to catch a considerable class of simpletons. That was abuse rather than argument. Mr. Bright stated that the distress in the country in the period from 1839 to 1842 was ten times greater than it was now. Now, he (the Duke of Rutland) believed that the distress was ten times greater now than it was from 1839 to 1842. But what was it that caused the distress of those times? It was the change from hand-loom weaving to the power-loom, and the economical circumstance that there was not then so much gold in the country. He now wished to refer to a speech of the noble Marquess below him (the Marquess of Salisbury). Mr. Bright had asserted that in the United States—the most protected nation in the world—the distress during the last five years had been more prolonged, more widely spread, and more intense than in England. That assertion was repeated, he believed, by the noble Earl who last addressed the House. But his noble Friend (the Marquess of Salisbury) delivered, two or three weeks ago, a speech which showed that he and Mr. Bright totally differed in their views upon this question, for he said that there was a revival of prosperity in the United States. The fact was that America kept her own markets to herself, and she had also the English markets to come to free from any taxation. Further, it was impossible that our manufacturers should compete with hostile tariffs while they were hampered by the operation of the Factory Acts. How could a country, where the operatives worked 56 hours a-week, compete with countries where they worked 72 hours a-week? Plainly, they should either do away with the Factory Acts, or put a duty on the importation of those textile fabrics that came into competition with our own. He would have no taxation on raw material. His noble Friend remarked that everywhere Governments were in want of money; that the easiest way to raise money was by indirect taxation; and that when the manufacturers wanted protection by indirect taxation the Government and the manufacturers came together, and there was a force which nothing could withstand. He asked whether Her Majesty's Government did not now want money. He understood that they wanted something between £5,000,000 and £8,000,000. The great mistake of Free Traders was this—No doubt, we were all consumers, and we were not all of us producers; but the consumer who was really of value in the country was the consumer who was also a producer. A man who was only a consumer added nothing to the wealth of the country. He was of no use except to himself. The only man who really benefited by Free Trade was the man who consumed merely and who produced nothing. A man with a fixed income derived the greatest possible benefit from having everything cheap; but a man who had to depend upon his production in order to obtain the necessaries of life did not, if he were unable to get anything for his productiveness, benefit by the cheapness. It was like the case of a poor boy looking at a shop window and seeing a penny bun. The bun might be very cheap; but if the boy had not a penny in his pocket, it was impossible for him to purchase it. He would beg to refer their Lordships to a speech made in that House in 1846 by the late Lord Derby, then Lord Stanley, in reference to the remark attributed to Mr. Cobden, that "a system of protection is a system of mutual robbery." Lord Derby said—

> "I admit that it is 'a mutual system;' it is a system in accordance with which each surrenders some advantage to himself for the purpose of partaking in the general advantage of all—it is a system by which each sacrifices

something of the profits of his own trade for the purpose of insuring a reciprocal advantage from others."

Lord Derby went on to say—

> "I am not sure that it would not be found in the end to be a certain reciprocity of profits, a system under which both parties gain—both parties are secured against hostile interference, against foreign intrusion—against foreign caprice and foreign hostility—would, in fact, in the long run, be that of which they heard so much, 'buying in the cheapest market and selling in the dearest.' That, whatever may be the small amount added to the cost on the British article under a protecting duty, still the disadvantage is amply compensated by the extension of our power over the wide world—by securing for us in every quarter friends and allies—by securing for our people certain employment, and certainty of consumption, uninterfered with by foreign competition."—[3 *Hansard*, lxxxvi. 1166.]

The present First Lord of the Admiralty, speaking on that subject, had said that if he had to run a race with an American he would not put on a great coat and fill his pockets with stones. But that was in effect exactly what we were doing. We were admitting American goods free of all duty, while the Americans refused to admit our goods except at a duty of some 30 per cent. We were, in fact, overweighted in the race. The noble Lord who introduced that discussion had referred to our Colonies, and said—very wisely, as he thought—that it would be a great thing for this country if we could enter into a kind of Zollverein, so that the whole of our Dominions should be brought under one grand system. We should have some 300,000,000 of people, and we could put our taxes on foreign imports, and benefit ourselves by taking them off our own. The late Lord Derby, in the same speech he (the Duke of Rutland) had referred to previously, said that Mr. Greg, one of the Leaders of the Anti-Corn Law League, frankly intimated

> "That the last chance of the success of what was called Free Trade resolved itself into the reduction of wages and the cheapness of food;" —[*Ibid.* 1171.]

and described the evil results which were likely to follow from a system which was the acme of human folly. What Lord Derby predicted in 1846 was what we were experiencing now. He could not, before sitting down, refrain from some allusion to the distress at present existing in the agricultural districts. He had always maintained, and he maintained still, that they could not injure their manufacturing and commercial interests without also injuring the agricultural interest. The two were so woven together that it was impossible to separate them. If they granted protection to their manufacturing interest, they would confer a boon on the agricultural interest. And if £5,000,000 were raised, as it easily might be, by putting a moderate duty on textile fabrics imported into this country, he saw no reason why that should not be given in relief of agricultural distress—that was, in relief of the burdens which now pressed on the landed interest. It might be said—"Oh, this distress is only the result of four bad seasons, and if we now have a good year all will come right." He did not believe that a good year would give prosperity to the agricultural interest. Suppose we had a good year or two, and grew and saved more corn, other countries would do the same, and the result would be that corn would be cheaper. The growing of wheat at 40*s*. per quarter could not be made to pay its cost on the great majority of lands in this country. It was said—"Why not turn your land into grass?" But here, again, we were met by importations from abroad. America sent meat here a great deal cheaper than it could be produced in this country. As a result of Free Trade, land was going out of grain cultivation and being turned into grass. Mr. Caird said that within the last 10 years 2,000,000 of acres had been thrown out of corn cultivation in this country. Was that a safe or a profitable thing? Was it safe to rely on the caprice of the foreigner for our food supply? After the adoption of Free Trade a 1*s*. import duty on corn was retained, which produced £1,000,000 sterling of Revenue; but that small duty had since been gratuitously repealed. Why should that have gone to appease the frantic Free Traders? The truth was that it was, in the present circumstances, impossible to grow beef or corn except at a loss. Ten years ago, nine-tenths of the meat we consumed was of home growth, whereas only one-third was produced at home at the present time. It was an alarming fact that each English family sent abroad £15 annually for food alone. In these circumstances, he could not understand why the Committee which the noble Lord asked for, to inquire into the truth of the matter and the remedy for the evils he had described, should be refused. The noble Lord had shown the impending shipwreck of all the industries of the country—he had shown that the distress was not limited to one trade or profession. The same dismal tale applied to agriculture as to our trade in cotton, silk, coal, or iron; every one of those industries was depressed, and the wages of the workmen were being reduced. Was there any prospect or hope of revival? He could see none.

> "Roll on, thou deep and dark blue ocean, roll,
> Ten thousand fleets sweep over thee in vain,
> Man marks the earth with ruin; his control
> Stops with thy shore; upon the boundless main
> The wrecks are all thine own, nor doth remain,
> One shadow of man's ravage save his own,
> When in a moment, like a drop of rain,
> He sinks into the deep with bubbling groan,
> Without a grave, unknell'd, uncoffin'd and unknown."

That would be our fate if we refused to do anything to avert the impending calamity. It never had been, and he hoped it never would be, the nature of Englishmen to succumb without a struggle, and a struggle they intended to make. They should look first of all to the Government to be their protector; if they failed them, they must look to the Opposition; and if both failed them, they must look to the constituencies at the coming Election. He ventured to tell the House that they had a vast majority of the people of the country with them, and that the agricultural labourers, the artizans, and the manufacturers would send them back victorious to the next Parliament, determined that the industries of this great Empire should be saved from destruction.

THE EARL OF DUNRAVEN said, he believed that the results of Free Trade and of Protection, if either were universally adopted, would be pretty much the same as regarded the interchangeable value of productions. With perfect and universal freedom of trade, the very poorest among the population would perhaps pay nothing towards the taxation of the country; whereas, with Protection, everyone, from the highest to the lowest, would have to pay his quota towards it. The consequence was, therefore, that the question resolved itself into a difference of opinion as to what was the best and most proper method of raising our Revenue. It was not because we had committed ourselves to Free Trade that if we found we had made a mistake we should be ashamed of retracing our steps—because this country was two wise and too great not to renounce an error if it had fallen into one. In considering this question it must not be forgotten that the whole world was opposed to us in our ideas of Free Trade, and that even our Colonies were against us. He did not know that there was anything in the atmospheric arrangements that surrounded us, and which constituted what we were pleased to call our climate, that peculiarly fitted us to determine this question. Englishmen were equally capable of judging of this question and of holding sound views with reference to principles of political economy, whether they lived in this country, or in Canada, or in Australia. The truth was that Free Trade should be looked upon as it affected each particular nation and almost each particular trade. Inquiry had been granted in reference to sugar refining, and he did not see why it should be withheld in the present instance. Sugar refining in this country might sink without leaving scarcely a ripple on the surface of our trade; but if Cheshire or Lancashire were to sink, they would drag an enormous amount of wreck down with them; and the Returns of pauperism for February showed a terrible increase. There had been many causes in operation to produce the depression under which the country was now labouring. Extravagance was one chief cause. When times were good profits were used to extend business unduly, over-production resulted, and the markets were glutted. But worse times had come, and the purchasing power of the world had fallen off. A great part of Europe was almost ruined, and the rest of Europe seemed inclined to ruin itself as fast as possible. The vitals of foreign countries were being eaten out by the enormous Armies they maintained. The difficulties in the East, and the Alsace and Lorraine complication, which was of still greater moment, were among the principal causes of our suffering. Then, too, our workmen were improvident. Between 1869 and 1873 wages had risen from 50 to

100 per cent, and now they had fallen again to very nearly their former level. But the workmen had been imprudent. He feared there was no such improvident as ours upon the face of the earth. In all foreign countries men worked longer hours than in England, and this extra time represented an enormous sum of money, which must be written off as a dead loss as against this country. Strikes had told in the same direction. In principle he was not opposed to strikes, believing them to be the only available method of adjusting the differences between capital and labour; but it was certain they had cost the country very dear. Our workmen seemed to have formed the mistaken idea that England was the only workshop in the world, and they had consequently done their best to hand over to others that monopoly in trade which they might have enjoyed themselves. In addition to all this, there was a perturbation going on in the commercial world. Trade was changing its centres and capital was shifting. He did not believe that Protection would do any good to trade, which would ultimately right itself. So far he had only spoken of commerce; but the agricultural interests were equally badly off. There had been a succession of bad harvests, and land had risen to enormous prices. This was almost the only case in which legislation might do some good. The malt tax might be repealed in order that the cultivation of barley might be rendered profitable. If that measure was desirable at any time it was more especially so now, when it was impossible for our farmers to compete with the American growers of wheat. Again, no commodity in the world had so many restrictions laid upon its sale as land in the United Kingdom, and it seemed to him that any measure which would disembarrass land from as many of these legal restraints as possible would be an immense benefit to all classes, except, perhaps, the Legal Profession. These, he believed, were some of the causes of the depression which existed. We were a manufacturing nation, and if our manufactures could not compete against those of foreign nations without some protection, they ought to have protection. But he believed we could compete successfully with other nations and at the same time enjoy the fruits of their labours, without paying the additional sum involved in a protective duty. We had special facilities for conveying goods and an abundant supply of coal, and as long as coal was the one thing used for fuel and to produce the motive-power necessary for working-up raw materials, so long should we be able to compete with other nations, if we worked as hard and lived as economically as they did. He had heard no proof given which showed that Free Trade was a cause of the present depression. We were suffering partly from our own faults and partly from causes which would right themselves. The present was the worst time for adopting a policy of Protection, which was at best a stimulant and drug that required most cautious use, and only in case of absolute necessity.

The Earl of MORLEY said, he had listened carefully to the speech of the noble Lord who introduced this question (Lord Bateman); but he must confess he had some difficulty in making out whether he was advocating Protection or Free Trade. The noble Lord had advocated a uniform Protection in every nation as the best thing; but then he admitted that in the absence of this the next best thing was uniform Free Trade. But uniform Protection was hardly worth discussing as a practical question, and, therefore, he thought they might fairly claim the noble Lord as a supporter of Free Trade. According to the proverb, it was better to have half a loaf than no bread; but what the noble Lord contended was, that if we could not have a whole loaf we had better have none at all—in other words, if we could not have Free Trade everywhere we had better have it nowhere. No doubt, foreign protective tariffs were injurious to this country; but retaliation would only double the evil, and would be a most suicidal policy. Thanks to our present system, the depression now prevailing in the country had been mitigated, as depression never was mitigated in former times, by low prices; but if the noble Lord the Mover of the Resolution had his way, the price of almost all the products consumed in this country would be raised. And not only the "consumer," but the producer in this country would be injured; for although a protective tariff might for a time benefit the producer of certain commodities, it was quite certain that by raising the price of all commodities it would place him in a worse position than he occupied before. Thus the farmer might benefit by some protective duty for a time; but a tax on iron would run up the price of his agricultural instruments. What did Reciprocity mean? He asked, because it had not been described, and no one knew exactly what it meant. Then, how was the scheme of the noble Lord ever to be started? These were questions to which he had as yet heard no satisfactory answer. Did the noble Lord propose to tax raw products imported? If so, foreign manufacturers would more than ever have an advantage over us. By enhancing the prices at which we could manufacture articles and goods, we should positively be handicapping ourselves against the very nations with whom we wished to compete. As to food the same argument applied. By retaliatory duties, we should do ourselves infinitely more harm than the countries we wished to injure. A duty on American cotton would do far greater harm in Manchester and Liverpool than in America. It might be proposed to tax not raw products, but manufactured or semi-manufactured articles. These, however, only represented £39,000,000 out of the £400,000,000 of our imports annually, and a tax upon them would have no appreciable effect upon our foreign commerce as a whole. A tax upon American sewing-machines, for instance, could not be expected to influence materially our trade with America. The fact was, the whole theory of Reciprocity rested upon a false economic principle—namely, that the injury of one nation was the benefit of another. Was it not evident that if a tax upon French wines reduced the exports of France, by so much the less would that country be able to take our products in return? Reciprocity, in a word, was suicidal in theory, and impracticable, so to speak, in practice. At the present time, when we saw foreign nations over-burdened with their armaments, and obliged to have recourse to import duties, and when the United States and some of our Colonies were relapsing into the false economic principles from which we had happily been free for a generation, it would be more than disastrous for England to countenance Reciprocity or Protection. Now, if ever, it was necessary for us strenuously to maintain the principles under which our trade had flourished, and under which, in spite of all the noble Lord had said, it still remained preeminent in the world.

THE EARL OF BEACONSFIELD: My Lords, it cannot be denied that a state of great national prosperity is quite consistent and compatible with legislation in favour of the protection of native industry. That proposition, years ago, was denied; but, viewing the position of things around us, with the experience we have had of France and the United States of America—the two most flourishing communities probably in existence—it cannot for a moment be maintained that the existence of a protective system to the industry of an ancient country is inconsistent with a flourishing condition. Well, my Lords, many years ago—nearly 40—this country, which no one can say for a moment did not flourish under the old system of Protection, deemed it necessary to revise the principles upon which its commerce was conducted. There were three courses—to use a Parliamentary phrase common to those times—which were then open to the eminent man to whom it fell to solve this problem. Sir Robert Peel might, in the first place, have re-constructed our commercial system on a scale of low duties, but applied generally to every item in the tariff. In the second place, he might have endeavoured to re-construct our commercial system by those Commercial Treaties of which we have heard so much to-night. And lastly, it lay before him to take a third course, which was at once to determine to fight hostile tariffs with free imports. It is impossible to say what may have been the reasons that ultimately induced that great statesman to take the course which he pursued. I dare say, if we knew it, it probably was that the difficulties of the two other courses, with our complicated and Parliamentary system, were such that it was impossible to carry them through—that he could not found a system upon a scheme of small and universal duties, and that the attempt to negotiate Commercial Treaties at that moment upon the scale and in the number that were requisite was not possible at that particular time, and with the passionate feelings which the changes then proposed would naturally excite.

The scheme that was adopted was this—that we were to fight hostile tariffs with free imports. I was among those who looked upon that policy with fear—I believed it to be one very perilous; and these feelings were shared by numerous parties in both Houses of Parliament, and by a numerous and influential party in the country. The decision of England on the question was a decision which was not hurried. Opportunity was offered to discuss it; a whole Session of Parliament was devoted to it—before the Bill which commenced, and I may say was the crown of the system, the repeal of the Corn Laws, was carried. After that, two or three years passed when the country experienced great distress in its industry—a distress perhaps not inferior to that it is now going through. There was, of course, much discontent. There was, on the part of those who had opposed the recent change, an earnest and anxious desire naturally to avail themselves of this sharp experience of the country, and obtain a reversal of the policy which, in their opinion, had produced these evils—but which were naturally not produced by the commercial changes of that day, for time had not elapsed after they had been carried to have produced the evils which were then suffered by the country. The question of Free Trade was again discussed in both Houses of Parliament. It enlisted the abilities of leading men on both sides. It was put before the country by the Press in all its forms. A Dissolution of Parliament then occurred. At the very time when there was great public distress the country had thus the opportunity of rescinding the national resolution on which the new system was based—and the country refrained from taking that opportunity to pass a verdict which would have forced a re-consideration of the new commercial policy. Many of your Lordships must know from your own individual experience that, under these circumstances, it was impossible for public men, whatever might have been their opinions upon these great commercial questions when these important changes were first introduced, to have had an open controversy for a quarter of a century. The government of the country could not have been carried on. It was necessary to bow to the decision of Parliament and the country expressed by its Representatives in both Houses, and ultimately by an appeal to the whole nation itself. That has been the state of affairs as regards the two great parties in the State, however they may have differed originally upon this subject. We have watched, not without anxiety, all that has occurred during this long period; we have modified our opinions with great precaution; we have felt the great sacrifices that were to be made for the sake of the country to the expression of the sentiments of the majority. We have not been unaware of the remarkable circumstances, such as the gold discoveries and others, that happened, which could not have been taken into calculation either by those who proposed or those who opposed the great commercial change. The country is now in a state of much suffering and some perplexity; and it is not unnatural your Lordships should be asked to consider whether the principles upon which for the last 35 years we have acted are really sound and true. The question has been brought before us by my noble Friend (Lord Bateman), who for some time has given his attention to the subject. My noble Friend read to us some extracts from a pamphlet he has written. We know he has been in active communication with experienced persons who are suffering in the present state of the country. Though I cannot agree that my noble Friend addressed us—as I fear I shall have to show—in a manner amounting to logical conviction, he at least showed us by the manner in which he treated the subject generally that it was one with which he was familiar, and on which he was perfectly justified in putting his opinions before the House. I regret to say that with most of his statements I cannot agree. I was very much struck by the course my noble Friend took. I listened to him with an attention which I am sure was not surpassed by any of your Lordships. My noble Friend took an early opportunity of saying that he was in favour of the repeal of the Corn Laws, and nothing would induce him to agree to any recurrence to our old legislation upon the subject. This statement did not seem to be endorsed by the recent remarks of the noble Duke (the Duke of Rutland), who seemed to look forward to the placing of an import duty on corn as one of the measures which might extricate us from our present difficulty and perplexity. The noble Lord who has devoted himself to this subject commenced his speech with the most formal declaration that, whatever relief might be devised for the suffering classes and trades of this country, the landowner and the farmer are to have no share in the solace and assistance which are to be found in a duty upon corn. My noble Friend proceeded to state that he was entirely opposed to all duties that were levied for Revenue, provided that they concerned the food and sustenance of the people; and he gave us one example—one of a group—sufficient in itself, the duty on tea. That, he said, is quite indefensible—why not repeal the duty on tea and put it on spirits? Four millions is a sum which I believe the most sanguine Chancellor of the Exchequer would hardly anticipate that he could raise by an increase of duties on spirits—particularly at this moment, as it is a declining revenue. My noble Friend asked why a duty on tea should be defensible, if a duty on corn of the same amount was not? I remind him that by his own position the duty on tea is a duty for Revenue, and a duty of the same amount on corn would be a duty for Protection. Having told us that he will not bring back the corn duties; that he is prepared to put an end to all duties for Revenue; and then denounced Commercial Treaties because he considered we have nothing to offer, and we never get anything by them; and having concluded that it is not by any of these the country can be saved, the noble Lord said it could be saved only by the principle of Reciprocity. Your Lordships must have hung upon the accents of the noble Lord when he promised to tell us what Reciprocity is. At one moment I thought we were to be enlightened on the subject. He gave a picturesque description of a person who had crossed his path in these investigations—he had probably lost his way—the opportunity seemed to have arrived; but it passed and it never recurred again. So far as I understand him, Reciprocity is barter. I have always understood that barter was the first evidence of civilization—that it was exactly that state of human exchange that separated civilization from savagery; and if Reciprocity is only barter, I fear that would hardly help us out of our difficulty. My noble Friend read some extracts from the speeches of those who had the misfortune to be in Parliament at that time, and he honoured me by reading an extract from the speech I then made in the other House of Parliament. That was a speech in favour of Reciprocity—a speech which defined what was then thought to be Reciprocity, and indicated the means by which Reciprocity could be obtained. I do not want to enter into the discussion whether the principle was right or wrong—but it was acknowledged in public life, favoured and pursued by many statesmen who conceived that by the negotiation of a Treaty of Commerce, by reciprocal exchange and the lowering of duties, the products of the two negotiating countries would find a freer access and consumption in the two countries than they formerly possessed. But when my noble Friend taunts me with a quotation of some musty phrases of mine 40 years ago, I must remind him that we had elements then on which Treaties of Reciprocity could be negotiated. At that time, although the great changes of Sir Robert Peel had taken place, there were 168 articles in the tariff which were materials by which you could have negotiated, if that was a wise and desirable policy, Commercial Treaties of Reciprocity. What is the number you now have in the tariff? Twenty-two. Those who talk of negotiating Treaties of Reciprocity, have they the materials for negotiating Treaties of Reciprocity? You have lost the opportunity. I do not want to enter into the argument, at the present moment, whether this was wise or not; but the policy which was long ago abandoned you cannot now resume. You have, at this moment, a great number of Commercial Treaties. I will not charge my memory with stating the exact number of Commercial Treaties we have, but they are very numerous; but this I know—you have nearly 40 Commercial Treaties with some of the most considerable countries in the world—the United States, Germany, and others—in which "the most favoured nation clause" is included. Well, suppose you are for a system of Reciprocity, as my noble Friend proposes. He enters into negotiations with a State; he says—"You complain of our high duties on some particular articles. We have not many, we have a few left; we shall make some great sacrifice to induce you to enter into a Treaty for an exchange of products." But the moment you contemplate agreeing with the State that you will make concessions by lowering some duties on the few articles remaining, every other of the 40 States with "the most favoured nation clause" claims exactly the same privilege. The fact is, practically speaking, Reciprocity, whatever its merits, is dead. You cannot, if you would, build up a reciprocal system of Commercial Treaties. You have lost the power; you have given up the means by which you could before obtain such a result as my noble Friend desires. But he has no other scheme to put before us but the scheme of Reciprocity, which I wish to show your Lordships does not exist. The noble Lord sneered at our last Treaty with Servia. It secures us the advantage of "the most favoured nation clause." The noble Earl who last addressed us (the Earl of Morley), showed, according to his views, the fallacy of the principle of commercial Reciprocity. I do not want to go into that part of the case. I hold myself free on that subject. But here it is a phantom. There are no means and no men, from whatever side the Government of the country may be drawn, whatever Members may form it, who can come forward now with a large system of commercial exchange founded on the principle of Reciprocity. The opportunity, like the means, has been relinquished; and if that is the only mode in which we are to extricate ourselves from the great distress which prevails, our situation is hopeless. I should be very sorry to say, whatever the condition of the country, its condition is hopeless. I have had the opportunity, and it was my duty during the last six months, to investigate the real condition of some of the principal industries of this country, and I cannot trace to our great commercial changes any of the depression and evils which they experience and complain of—except, I admit, in the case of land. I cannot for a moment doubt that the repeal of the Corn Laws—on the policy of which I do not enter—has materially affected the condition of those who are interested in land. I do not mean to say that is the only cause of landed distress. There are other reasons—general distress, the metallic changes, have all had an effect; but I cannot shut my eyes to the conviction that the termination of Protection to the landed interests has materially tended to the condition in which it finds itself. But that is no reason why we should come suddenly to an opinion that we should retrace our steps, and authorize and sanction any violent changes. This state of affairs is one which which has long threatened—it has been contemplated by many high authorities. It has arrived. I cannot shut my eyes to the fact, and we must consider every step we take with reference to it. I cannot give up the expectation that the energy of this country will bring about a condition of affairs more favourable to the various classes which form the great landed interest of this country. I should look upon it as a great misfortune to this country that the character, and power, and influence of the landed interest and its valuable industry should be diminished and should experience anything like a fatal and final blow. It would, in my opinion, be a misfortune, not to this country alone, but to the world, for it has contributed to the spirit of liberty and order more than any other class that has existed in modern times. My Lords, I have put before you the remarks that have occurred to me on the Motion of my noble Friend. He has got hold of a very good question in the national distress; but it appears to me that before he proceeds in his adventure of finding the remedy for it, it is absolutely necessary that he should study more precision, both of thought and of language. I listened with much attention to his agreeable speech; but I really do not know what he requires. He is against Protection. I understand the views of my noble Friend the noble Duke (the Duke of Rutland). They are consistent. They are the same he expressed when seated on my right hand, 40 years ago, and he is still ready to act upon them. He is prepared to propose, and carry out, if he can, a certain degree of Protection to the land. But my noble Friend who asks us to pass this Resolution utterly disclaims that; he utterly disclaims everything but a phantom. I cannot support my noble Friend when he asks us to pass Resolutions of this grave character, and when he himself disclaims the very grounds on which he might have framed, not what I think was a correct, but a plausible case. It is a very unwise course, in my opinion, when the country is not in a state so satisfactory as we could wish, when all classes, no doubt, of the industry of the country are in a position of uneasiness—it is, in my opinion, an unwise course to propose any inquiry which has not either some definite object, or is likely to lead to some action on the part of those who bring it forward. I think it would be most unwise for us to come to a resolution to have inquiry into the causes of public distress when that inquiry is evidently one which would end only in asking questions. It would lead to great disappointment and uneasiness on the part of the country; and the classes who are trying to realize the exact difficulties they have to encounter and devising the best means to overpower and change them, would relapse into a lax state which might render them incapable of making the exertions it is necessary for them to make. Therefore, I cannot sanction, so far as my vote is concerned, the course recommended by my noble Friend. Looking into the state of the country, I do not see that there is any great mystery in the causes which have produced a state of which there is undoubted general complaint. What has happened in our commercial fortunes during the last 10 years will explain it. The great collapse which naturally followed the convulsion of prosperity which seemed to deluge the world, and not merely this country—the fact that other countries have been placed in an equally disagreeable situation, though their commercial systems were founded upon principles the contrary of our own—these are circumstances which appear to me to render it quite unnecessary to enter into an inquiry on this subject. I do not mean to say that there are not moments—that there are not circumstances—in which an inquiry by Parliament or by a Royal Commission into the causes of national distress may not be allowable—may not be necessary; but it must be a distress of a very different kind from that which we are experiencing. We must have the consciousness that the great body of the people are in a situation intolerable to them, and that no persons with any sense of responsibility would think they had done their duty without examining and reporting on the causes of it. That is not the condition of the people. That there is great suffering — that the leading personages of all classes are suffering—I admit; but the bulk of the people are in a condition which everyone must acknowledge it would be absurd to describe as one of distress and despair. I hope myself, and firmly believe, although I know that many of great authority in this matter are sceptical—I believe that there is a change for the better in the condition of the industrial world; and though, after what has been said to-night, I do not care again to talk about America, much that I hear from America confirms that belief. I am sure there will be no want of sympathy in this House with the sufferings of the people of this country; and if, to-night, your Lordships do not accept the proposition of my noble Friend, it is because—and the country will understand what is meant—it is because it is a proposition which can lead to no public benefit.

Earl GRANVILLE: My Lords, in the remarks I am about to make, I promise not to detain your Lordships five minutes. I listened with great attention to what fell from the Prime Minister this evening. He began by the statement that it was impossible now that anyone could deny that a nation with Protection might enjoy great prosperity. I do not deny that fact; but I equally assert my conviction that a nation enjoys much less prosperity, and suffers from greater distress, if there should be Protection instead of Free Trade at a time of depression. The noble Earl gave us an interesting account of what occurred at the time of Sir Robert Peel's commercial reforms. I did not know Sir Robert Peel at all intimately until the last years of his life; but I own I very much doubt what the noble Earl stated—namely, that it was impossible to tell why, having three courses to select from, he decided to combat hostile tariffs by free imports. My firm conviction is, though the change came gradually upon him, that Sir Robert Peel had the strongest conviction that the principles of absolute Free Trade were the right economical principles, and that their application would prove the greatest practical benefit to the country— as I am sure they have proved. The noble Earl made an apology for the inaction of his Party for the quarter of a century which followed the great change in our commercial legislation. I cannot conceive, under the circumstances of the case, that any other possible course was open to the Conservative Party. With regard to the question which has been raised this evening, I do not wish to go into the arguments which have been advanced. The noble Earl characterized the speech of the noble Lord in introducing the Resolution as an agreeable speech, though not very logical; and the noble Duke (the Duke of Rutland) stated that the noble Lord had absolutely exhausted all the arguments in favour of the course which he pursued. I am rather glad to hear that admission, because those arguments did not appear absolutely conclusive to my mind. I am a very old Free Trader now. I am not sure that I am an older Free Trader than the noble Earl, who, I believe, flirted with Free Trade before Sir Robert Peel adopted it; but my love has been of a more constant character. More than 40 years ago, in opposition to the opinions of my political Friends, I voted for the total repeal of the Corn Laws, and I never after gave a vote contrary to those principles. It is a great temptation, but I will not follow the example of some previous speakers. I am not going over again the arguments as to the exploded fallacy of the balance of trade. I do not wish to argue whether abundance is not better than scarcity—whether it is injurious to a country to have greater imports than exports. There is no question now whether abundance is better than scarcity, and whether commerce is not likely to flourish most when it is left to that free action of countries which act without any obstacle between them. I do not wish to ask whether the noble Earl was right, 40 years ago, in recommending a policy of Reciprocity. I am very grateful that that policy has not been carried out; but I am equally grateful to the noble Earl for the manner in which he exposed the proposals of the noble Lord, and for having shown that it would be utterly impossible for his Government, or any Government, no matter from which side of the House it was drawn, to have recourse, for the purpose of meeting a temporary depression of trade, to anything so delusive as the Reciprocity recommended to us tonight. The noble Earl stated that the landed interest was exceptional, and that it was still suffering from the repeal of the Corn Laws. I will not argue this point. The noble Earl did not give his reasons for the statement. But, *primâ facie*, considering the distressed state of the agricultural interest for 20 years under Protection, and the great prosperity of that interest for the last 30 years, I do not see, after a series of bad harvests, after the great perturbation, not only of Europe, but of the world—because there is great depression now which cannot be denied—I do not see, I say, that it can be traced to the legislation of 30 years ago. Her Majesty's Government have taken rather a sanguine view of the depression which undoubtedly prevails. I think, 18 months ago, the Chancellor of the Exchequer spoke of the piece of blue sky, which has hardly since been obvious to the non-professional eye. The noble Earl treated the depression in a hopeful way, and if they will only continue to hold out hopes, at some time or other those hopes will be fulfilled. I agree with him that the depression has not been as great and severe as at some former times. There are redeeming circumstances in it, and sooner or later—it may be later, for it must depend upon political as well as other circumstances—we shall recover from a depression not peculiar to ourselves, but universal among the other nations of the whole world, and I trust we shall gradually arrive at the prosperity of a former day. The noble Earl alluded to one bright spot in the United States. I believe there is a bright spot there owing to a good harvest, while we have had a succession of bad harvests in this country. I trust that improvement may grow. At all events, I am perfectly sure that the Prime Minister has done good service this evening in putting his foot down so distinctly and so decidedly on the proposals of the noble Lord, and in showing that Her Majesty's Government does not intend to hold out any fallacious hopes in dealing with matters which must be dealt with in a different manner. Therefore, I agree with the noble Earl in negativing the Resolution.

Lord BATEMAN said, that, after the speech of the Prime Minister, he should not divide the House? His main object in bringing forward the subject was to provoke discussion upon it.

On Question? *Resolved* in the *Negative.*

CHILDREN'S DANGEROUS PERFORMANCES BILL [H.L.]

A Bill to regulate the employment of children in places of public amusement in certain cases —Was *presented* by The Earl De La Warr; read 1ª. (No. 64.)

House adjourned at a quarter past Ten o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 29th April, 1879.

MINUTES.] — Select Committee — Standing Orders, Lord Arthur Russell *added.*

Public Bills—*First Reading*—Local Government (Ireland) Provisional Order Confirmation (Downpatrick) * (140); Local Government (Ireland) Provisional Orders Confirmation (Cashel, &c.) * [141].

Select Committee—Report—Summary Jurisdiction [No. 154]; Sale of Food and Drugs Act (1875) Amendment [No. 155].

QUESTIONS.

CRIMINAL LAW (INDIA)—USE OF TORTURE.—QUESTION.

Mr. P. A. TAYLOR asked the Under Secretary of State for India, Whether his attention has been called to a judgment pronounced by Mr. C. G. Plumer, Judge of the Sessions Court, Chittore (as reported in the "Bombay Gazette" of the 18th Nov. 1878), wherein he thus refers to the conduct of Mr. Cox, assistant magistrate :—

> "Mr. Cox admits, in his deposition, that he permitted one Velu, an ex-policeman who took the greatest interest in the prosecution of this case, in his presence, to put burning camphor into the hands of several of the weavers at his tent, to elicit from them information favourable to the prosecution."

And again :—

> "I must do Mr. Cox the justice to say that he has not made the slightest attempt to conceal any of his actions. He seemed considerably surprised that any objection should be offered to the mode of procedure adopted by him;"

whether Mr. Cox retains his office; and, whether it is a fact that torture is commonly practised in India for the purpose of eliciting evidence?

Mr. E. STANHOPE: We have received no official information on this subject; but *The Bombay Gazette,* from which the hon. Member's quotations are taken, states that Mr. Plumer has brought Mr. Cox's conduct to the notice of the High Court. We are not aware whether the High Court has taken any action in the matter; but the Government of Madras has, I believe, condemned Mr. Cox's conduct as most irregular and improper. If torture is ever used by the Natives in India for the purpose of eliciting evidence, it is entirely contrary to the principles upon which the Government of India is conducted.

Mr. P. A. TAYLOR: Will the hon. Gentleman make inquiry as to whether Mr. Cox is retained in his position?

Mr. E. STANHOPE: Yes; I will make further inquiry.

JURY LAWS (IRELAND)—THE JURORS QUALIFICATION (IRELAND) ACT, 1876.—QUESTION.

Mr. M. BROOKS asked the Chief Secretary for Ireland, Whether, prior to the expiration in 1880 of "The Jurors' Qualification (Ireland) Act, 1876" (a temporary Act), it is the intention of the Government, having regard to the unsatisfactory state of the Jury Laws in Ireland, to bring in a Bill to amend the same in accordance with the suggestions made in memorials presented to the Chief Secretary for Ireland on behalf of the Jurors of Dublin and Waterford; and, whether any provision will be made in the Estimates for providing a waiting room, and otherwise improving the defective condition of the jury accommodation in the Four Courts, Dublin?

Mr. J. LOWTHER: Sir, it will be necessary to introduce a Bill for the purpose of continuing the Act which the hon. Member refers to; but I should not like to hold out any expectation that the suggestions made in the Memorials presented by the jurors of Dublin and Waterford will be embodied in it. They are of such a comprehensive character involving, for instance, a reduction in some cases of the number of jurors, and other important questions of principle, which could not well be included in a Continuance Bill; and, consequently, I see no prospect of dealing with them. With reference to the defective jury accommodation in the Four Courts at Dublin, the Lord Chancellor informs me that in consequence of the consolidation and abolition of offices through the operation of the Judicature Act, a re-arrangement is in contemplation which it is hoped will give better accommodation in future to jurors.

SCOTLAND—REGISTER HOUSE, EDINBURGH.—QUESTION.

Mr. M'LAREN asked the Secretary of State for the Home Department, When he will introduce the promised Bill for regulating the offices and salaries in the different departments in the Register House, Edinburgh?

Mr. ASSHETON CROSS: I hope to be able to introduce it very shortly. It has been already drawn some time; but there were one or two little matters that had to be arranged. I hope it will not be long till they are settled.

SCOTLAND—HERRING FISHERY IN LOCH FYNE.—QUESTION.

Sir WILLIAM CUNINGHAME asked the Lord Advocate, Whether there would be any objection to enforcing the existing Law as to close time in the herring fishery in Loch Fyne, if the majority of the fishermen living in the district desire it; and, whether the recommendation of the Royal Commission that trawling be not allowed above Otter Point will be adopted?

The LORD ADVOCATE (Mr. Watson): With regard to the first of these Questions, I may say that I am quite prepared to consider any suggestions that may be made to me in regard to the enforcing of a close time on the part of the coast referred to. At present the matter stands in a very peculiar position, because while there is an Act of 1860 unrepealed, fixing a close time for that part of the coast, at the desire of the fishermen themselves, and in consequence of the difficulty of putting the Act in operation, that close time has never been enforced, and the repeal of the statute has been recommended by a Royal Commission. In regard to the second part of the Question, I cannot hold out any hope that we can do anything to suppress trawling, and for these reasons:—The Admiralty at one period did try to put down trawling, and the result was that on repeated occasions there was bloodshed, and, in consequence, that part of the law was repealed on the suggestion of a Royal Commission. I do not think it is at all likely that such a law will be re-enacted. Certainly there is nothing in the Report of the recent Commission to justify the Government in bringing such a proposal before the House.

IRISH CHURCH TEMPORALITIES COMMISSIONERS — RETURN OF SALES OF LAND.—QUESTION.

Mr. BRUEN asked the Secretary to the Treasury, When the Return relating to the Sales of Land by the Irish Church Temporalities Commissioners, which was ordered by this House on the 27th June 1878, will be printed and distributed to Members?

Sir HENRY SELWIN-IBBETSON: Sir, the matter to which my hon. Friend's Question refers does not relate to my Department specially; but I have communicated with the Department with which it is in more immediate connection, and I find that the Return asked for is very voluminous, but it is hoped it will be in the hands of hon. Members next week.

SOUTH AFRICA—THE ZULU WAR—THE MILITARY COMMAND—RESOLUTION.

QUESTION.

Mr. E. JENKINS asked Mr. Chancellor of the Exchequer, Whether, since the ordinary means have failed to obtain a day, within a reasonable time, for bringing on the Motion relating to the Military Command in South Africa, the Government will give practical effect to their desire to assist him; and, whether he is now prepared to name a day for the discussion of that Motion?

The CHANCELLOR of the EXCHEQUER: I have considered the Question; but it is very difficult to find days for bringing on Government Bills, to say nothing of affording opportunities for the discussion of Motions. I am afraid that, under the circumstances, I cannot promise the hon. Gentleman a night.

Mr. E. JENKINS: In consequence of the answer of the right hon. Gentleman there is only one course left open to me, and of that I propose to give Notice. Having left upon the Paper, for a considerable time, a Motion of censure on the Government, and calling in question the conduct of an officer in the field which it would be an injustice to him should be continued there, I must leave the matter to the judgment of the country, and I will withdraw the Motion.

ARMY—AUXILIARY FORCES—YEOMANRY ADJUTANTS.—QUESTION.

Mr. SOTHERON-ESTCOURT asked the Secretary of State for War, Whether it is the case that Captains of Cavalry on becoming Brevet Majors receive no extra pay, while Brevet Majors of the Line draw 2*s*. per diem; and, whether in the case of Yeomanry Adjutants Brevet Majors might be allowed to draw this sum?

Colonel STANLEY, in reply, said, it was true that Brevet Majors of the Line drew 2*s*. per day extra pay for the purpose of enabling them to provide themselves with horses when required to be mounted. Captains of Cavalry being already mounted, received no extra pay, and the same rule applied to the case of Yeomanry Adjutants.

RAILWAYS—COURT OF RAILWAY COMMISSIONERS.—QUESTION.

Lord CLAUD HAMILTON asked the President of the Board of Trade, The number of cases which have come before the Court of the Railway Commissioners since November 1878?

Viscount SANDON: I believe my noble Friend is right in saying that no cases have been before the Railway Commissioners since November last. There are various reasons, which I shall be glad to mention whenever a discussion takes place on this subject, which, to my mind, account for this state of things. Among others, it is hardly necessary to observe that the natural uncertainty on the part of the public as to the future arrangements of a Commission whose powers expire this year would in itself largely explain the matter. In making this remark I ought, however, to remind my noble Friend that we have already intimated that the Government attaches great importance to the continuance of the powers of the Railway Commission, which they believe to be highly valued by the commercial community of the country.

SOUTH AFRICA—THE ZULU WAR—THE LATE TELEGRAM.

OBSERVATION.

Sir MICHAEL HICKS-BEACH: Perhaps I may be allowed, Sir, to communicate to the House the only telegram which has been received by Her Majesty's Government from the Cape, by the last mail that reached Maderia. It is as follows:—

> "Government House, Cape Town, April 8.
>
> "The Administrator of the Transvaal telegraphs, April 4. The High Commissioner expected at Pretoria on the 10th. All well. The garrison of Ekowe at Fort Pearson to-day. No further news."

That is the only telegram which we have received.

MOTIONS.

BOILER EXPLOSIONS.—RESOLUTION.

Mr. BURT, in rising to call attention to the great sacrifice of human life in the United Kingdom arising from boiler explosions; and to move—

> "That, in the opinion of this House, it is desirable that enginemen should undergo an examination as to their fitness before they are placed in charge of engines and boilers, and that it is incumbent on steam users to provide for a competent and an independent inspection of all steam boilers, and to report to the Board of Trade or to the Home Office,"

said, he had no expectation that he would be able to make the subject interesting or attractive; but he thought it would be allowed it was one of considerable importance, not only to manufacturers and steam users, but also to the public generally, whose lives were put in jeopardy by the negligence or incapacity of those intrusted with the management of boilers. A few years ago a Select Committee, appointed to inquire into the subject, went into it at considerable length, and that Committee reported that there were, on the average, every year 75 lives lost by boiler explosions, besides a considerable number of persons injured. One feature in connection with these explosions, which made it incumbent that there should be further legislation, was that a large proportion of those killed and injured were persons outside the buildings in which the explosions occurred. There was some difficulty in arriving at precisely accurate results. There was no annual Government Return on the subject. Last year one Insurance Society Report gave the deaths at 45, and the injured at 72; while the Report of another Society for the same year gave the figures respectively as 48 and 85. Those casualties included women and children, people in their own homes, and sitting at their own firesides, sleeping in their beds, or walking in the streets; and that formed an additional reason why Government should do something to protect life, since those persons were utterly powerless to protect themselves. He had no intention of making any wholesale charges against manufacturers and users of steam. Even if any good could come from wholesale charges of the kind, he did not think they would be merited; because, when they took into consideration the extent to which steam was used in the country, and the little Government had done to provide supervision of engines and boilers, he must confess that the number of people injured and killed was smaller than one might be led to expect. But the admission of general good management was quite consistent with the fact that there was a considerable amount of recklessness manifested; and the question was, not whether matters might not be a great deal worse than they were, but whether, by care and periodical inspection of the boilers, the number of persons killed and injured might not be greatly diminished, and whether explosions might not be altogether prevented. Now, the evidence on that point seemed to be pretty conclusive, showing the value of inspection where it was properly carried out. The Select Committee called attention to the beneficial effects that had accrued from inspection by certain voluntary Associations. The results afforded by the experience of those Associations were very significant and encouraging. There was a Society that, he might say, was pretty well known, and whose headquarters were at Manchester—the Manchester Steam Users' Association—which was established purely for the public benefit, and not for profit. The Directors and the Chairman gave their services gratuitously, and the Society had spent a considerable amount of money in disseminating information. He believed there was scarcely an explosion that occurred in any part of the country but that Association had been at considerable expense to investigate the cause. The Association had been in existence for 25 years, and during that whole period not a single life had been lost by the explosion of a boiler under their inspection. Similar evidence was to be found as regarded some of the Insurance Companies. The National Company stated that they had not had a single explosion during the year, and for nine years not a single life had been lost from an explosion of a boiler under their inspection. The chief engineer of the Company had supplied the information that during the nine years there had been six explosions, and in five of these cases defects had been pointed out by the Inspectors. In the only serious explosion that occurred, the Inspector had strongly urged that the boiler should be repaired, and it was in consequence of that advice being neglected that the explosion took place. The average number of boilers under inspection during this period had been 4,000, and at the present moment the Company had 7,200 boilers. Five out of the six of these explosions were so trivial that the boilers were not removed from their places. Even including these, however, the explosions were as 1 to 7,080, whereas the general average of the country was 1 in every 2,000 boilers. In individual cases there was evidence of great want of care and of recklessness. One complaint in the Reports was that many boilers were inaccessible; they could not readily be inspected; and it was a significant fact of the value of inspection that a Company had declined business because its recommendations, which were all in the direction of safety, were not obtainable. In many cases the safety-valves were out of order, and no less than 45 were found entirely inoperative. A short time ago, he had had a letter put into his hands, addressed to the President of the Steam Users' Association. The writer worked in a weaving factory, where, some few years ago, a boiler exploded at 60 lbs. pressure. No one was killed, and the boiler was repaired. Recently there had been some additional looms placed in the factory, and it was necessary to increase the steam power, and that was done by placing a large weight on the safety-valve. The boiler was now working at a pressure of from 80 to 90 lbs. When the engine began work at 90 lbs., the workpeople retired to the other end of the factory, showing that they were in constant terror of their lives. It seemed to him to be a scandal, if not a crime, to allow people to be exposed to dangers of this kind; and he thought the facts he had mentioned showed clearly the necessity for better supervision with regard to steam boilers. Coming to the other part of the question—the examination of enginemen—he admitted that, as a body, these men were intelligent, very careful, and competent; but there was no doubt that in many instances they were thoroughly incompetent and unfit to be in charge of engines and boilers. With regard to nearly all the defects he had enumerated, they were such defects as would be found out by competent men. He might be answered, when arguing for an examination of those men, that it was much better to have practical than theoretical men. That statement might be freely admitted; but it was not a case of an alternative between the practical and the theoretical man. The same argument was used in the discussion on the Mines Regulation Bill, the result of the experience in that matter having entirely falsified the predictions which had been made. It would be admitted that by that beneficent measure the efficiency of the management of mines had been greatly increased, and that the present staff of managers were not in any degree less practical than the men who preceded them. The principle which he urged the House to sanction was not a new principle. It had already been adopted in connection with the Merchant Shipping Act. For many years enginemen at sea had been subjected to an examination, and marine boilers had been inspected. Some time ago he moved for a Return, with a view to make a comparison between the number of explosions, the number of lives lost prior to the examination, and since the examination. The officials of the Board of Trade had no figures going further back than 1862, and, therefore, no material for comparison; but he believed it was generally admitted that, so far as the qualification of marine enginemen were concerned, matters were much improved. He might mention as a fact, also, that before these changes came into force these boilers were worked at a pressure of only 5 lbs. to 10 lbs. on the square inch; but since that they had been worked up to 100 lbs., and in some instances up to 140 lbs. on the square inch. That was an answer to the contention that steam boiler inspection would tend to retard improvement. He himself had been, and still was, in favour of Government inspection. The argument used against compulsory inspection—that it would lessen the responsibility of the owner—when used by manufacturers, he could scarcely regard as an honest argument. He thought the inspection should be by an independent party. It had been suggested that the steam user should be at liberty to select his own Inspector. He thought that would be little better than a farce. It was incumbent on the Government and the House of Commons to do something in this matter. The Report of the Select Committee went very minutely into the subject. Very able witnesses were examined by them. He admitted that the recommendations of the Committee were not his; but they were recommendations that would do some good. So far, however, those recommendations had been entirely ignored. He did not think the present Government was at all indifferent to the question. The Home Secretary had shown that he was fully alive to its importance; and the President of the Board of Trade had, in reply to a Question put to him last Session by the hon. Member for Manchester (Sir Thomas Bazley), promised to give the subject consideration, and to inform the House early this Session what steps the Government intended to take. The Government would, therefore, now have an opportunity of redeeming that pledge. The hon. Member concluded by moving his Resolution.

Mr. HERMON, in seconding the Resolution, said, he had the honour of being a Member of the Committee to which his hon. Friend had referred. The Committee, after hearing a very large amount of evidence from practical men, came to the conclusion that compulsory inspection could not be adopted. Considering the promise of the President of the Board of Trade last Session, his hon. Friend was fully justified in bringing the subject under the notice of the House. It was a difficult one to deal with, and he was himself satisfied with the assurance given by the Government. From the Reports to which his hon. Friend had referred, he found that this was by no means a matter confined to those who were connected with the working of boilers; but that persons totally unconnected with the working of them had been killed by these unfortunate explosions. During the last 14 years there had been 684 explosions of boilers, whereby 869 persons were killed, and 1,333 wounded. The eminent engineer —Mr. Bramwell—in his evidence before the Committee, said that, in his opinion, a compulsory examination on the part of the Government would, to a certain extent, relieve the steam user of responsibility towards those whom he employed. The Committee said they were not prepared to recommend the adoption of any system founded on compulsory and periodical inspection. He was there to defend their views on that subject. In reality, an inspection of boilers took place at present, and he had those in his own establishment regularly examined by an Association. He was of opinion that the lucid manner in which his hon. Friend had pointed out the dangers that had occurred through want of a proper examination might have more effect than several Acts of Parliament. He hoped the discussion would open the eyes of the owners of boilers to the necessity of having an independent examination; because if, after such a discussion, anything were to happen to those boilers, they would, he thought, feel that they were somewhat to blame for not having taken the precautions which were pointed out by the Motion. As to Government interference in the matter, his objection to it was that the imposition of too many trammels was calculated to prevent a manufacturer from carrying on his business with any satisfaction to himself; inasmuch as he was made exceedingly uneasy as to the results of accidents arising frequently from causes which were not under his own control.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable that enginemen should undergo an examination as to their fitness before they are placed in charge of engines and boilers, and that it is incumbent on steam users to provide for a competent and an independent inspection of all steam boilers, and to report to the Board of Trade or the Home Office."—(*Mr. Burt.*)

MR. J. COWEN said, he did not wish to prolong the discussion unnecessarily; but he would like to have an opportunity of making a few observations in support of the Motion of his hon. Friend the Member for Morpeth. The statement of the evils complained of could be compressed into a few sentences, and the remedy suggested could be soon summarized and easily understood. There were at present upwards of 100,000 boilers in the country, and the number was daily increasing. Explosions occurred in their management with striking regularity. During the last 14 years they had a record of 684 explosions, by which 870 persons had been killed, and 1,332 seriously injured. There had been thus a total of 2,202 persons slain or maimed by these calamities. There was an average of 50 explosions a-year, and there was an average of 160 casualties more or less serious in the same time. Their contention was that this suffering and loss of property was preventable, and, therefore, wanton and unnecessary. Until recently, very erroneous ideas were entertained as to the cause of boiler accidents. Some thought they were occasioned by the ignition of gas in the boilers, others attributed them to the subtle influence of electricity. But it had been settled by experts, and admitted by practical men, that there was no mystery whatever in the origin of these catastrophes. Boiler explosions arose from three causes—the faulty construction of the boiler, its insufficient equipment and imperfect condition, and defective management. By the ignorance of the maker, the carelessness of the setter, the parsimony and niggardliness of the proprietor, and the negligence of the minder, the lives of hundreds of innocent persons could be daily imperilled. To save a few pounds in the cost of a boiler, the manufacturer would ignore, or set at defiance, principles that science had defined, and precautions that experts had shown to be necessary. To prevent the necessity of getting a new boiler, an old one would be driven at high pressure until its sides were little thicker than a few sheets of paper, and to allow some personal indulgence, the stoker would not unfrequently permit the plates to become covered with corrosion, and to get red hot. Malconstruction, defective condition, and shortness of water, were the simple, but all-sufficient, causes of boiler explosions. A quarter of a century ago the late Sir William Fairbairn, the distinguished engineer, became impressed with the belief, from his varied and extensive experience, that life and property could be saved by greater care being observed in the construction and working of boilers; and he initiated an Institution with a view of pressing the subject on the attention of steam users, the Government, and the public. This was a philanthropic and not a mercantile body. Its public-spirited promoters and Directors discharged their duties voluntarily, and without either fee or reward. In a modest and unpretending way the Society had done great national service. Its monthly publication contained valuable scientific and engineering information, and more than any other agency in the country it had disseminated sound views on the safe and economic use of steam power. Fourteen years ago the Society undertook to inspect boilers, and to give certificates as to their condition. A small sum was charged for this work, and now a revenue of £6,000 or £8,000 a-year was realized from it. This amount, after paying the cost of inspection and the working of the Society, was devoted to the promotion of the objects for which the Association was founded. The remarkable fact was that, although this Institution was charged with the annual oversight of 3,000 boilers, there had not been, with any one of these, any explosion during all the years of the Society's existence. The fact could not be too often repeated, nor too widely known, that no boiler that had been subjected to the inspection of this body, and had been attended to in compliance with the suggestions of its officers, had exploded. This unadorned and simple statement was a proof that the loss of life and property caused by explosions could be avoided if reasonable precautions were taken. What the Resolution of his hon. Friend suggested was that the principle acted upon with so much success by the Manchester Society should be legalized and applied to the entire country. That which was now voluntary —but, from the cupidity of some and the indifference of others, partial—should be made national and compulsory. Various schemes had been proposed for putting the practice of inspection into force. Some suggested that every steam user should be his own Inspector; others, that the local authority should undertake the work; and others, that it should be committed to the Government. All these proposals had their advocates, and there was something to be said in support of each, though he did not approve wholly of any of them. To permit every steam user to nominate his own Inspector would, he thought, be tempting inefficiency, and would lead to the legalization of bad boilers. By handing over the work to the municipalities, it might become inharmonious and contradictory, and would be liable to be influenced by private and commercial rivalry. To consign it to the Government would, in the estimation of some, make it technical and perfunctory, if not harassing and oppressive. But he thought that Parliament should enact that every commercial boiler should be periodically inspected and duly certified by a competent person that it was safe and trustworthy. There was nothing new in this principle. It was a recognized canon of their legislation that no person should be permitted to pursue his trade to the detriment and injury of his neighbour. This inspection and certification might be undertaken by Boiler Boards. The country could be mapped out into 10 or 12 districts, with a Board assigned to each. A register of all the boilers in the district could be kept; and in the election of members of the Board every steam user would have votes in proportion to the steam power he employed, one boiler giving one vote, two boilers two votes, and so on. The steam users, as the persons primarily interested, would be entitled to elect the greater portion of the Board; but the municipalities might be allowed to nominate members who were unconnected with manufactures, and were not steam users, but adepts—such as chemists and engineers. The Board of Trade, or the Home Office, might also nominate experts. In this way a Board would be constituted, the major portion of whose members would be interested in the safe working of boilers; but they would be assisted by, and associated with, men of science, who could regard the subject from a public, and not a trade, point of view. Boards so formed would be above private or personal considerations. They would be both disinterested and universal. They would represent the users of steam power, the public as speaking through the local authorities, and the nation through the Government. The members of the Board would be unremunerated—their services being honorary and voluntary. The cost of electing such bodies and of working such organizations would be met by imposing an annual charge of 4*d.* or 6*d.* a-boiler. The inspection would be covered by the payment of 7*s.*, 8*s.*, or 10*s.* a-boiler. By such an arrangement, no demand would be made either on the purses of the ratepayers or the taxpayers. Both the district and the Imperial Exchequers would be freed from any charge. The only persons having to pay would be the steam users themselves, and they would get in return for the payment every security that skill and attention could afford them. He knew such a proposition would be met with the common objection that they had too many Boards already. But what he proposed was only the carrying out of an idea now in operation. The Mercantile Marine Boards were framed in the way he suggested the Boiler Boards should be constituted, and they worked with great satisfaction to all persons interested in ships and shipping. It would also be said that by undertaking such a widespread investigation the responsibility of owners of boilers would be destroyed. This, too, was an ancient and common argument against all central interference with dangerous trades. It had been used with wearying iteration against the inspection of ships, mines, and factories. The country had, again and again, been assured that if these branches of trade were subjected to inspection, the owners would become careless and indifferent, and throw the responsibility upon the Government officials. He spoke in the presence of persons who had as much experience as he had; and he would undertake to say that exactly the opposite result had been realized—that while mines and ships and factories had been safer and healthier than they were previously, the care of the proprietor and the interests of the owner had been in no way impaired. On the contrary, there was evidence to show that they had been augmented by the action of the State. He desired to remind the House, also, that what was proposed was to inspect the construction and condition of the boiler more than its management. If, after its inspection, the owner or workmen neglected their duty, they would still be equally liable for their conduct. If the Government could not see its way to initiate such a system of supervision as he had roughly sketched out, they might at least undertake that whenever a boiler explosion took place a careful investigation should be made into the circumstances. They did that now whenever there was a railway accident, shipwreck, or colliery explosion. Fatalities caused by the bursting of boilers were only inquired into by a Coroner's Jury, which was not on such a subject a satisfactory tribunal. An independent investigation, at the instance of the Home Office or the Board of Trade, would be a decided improvement, and he thought the Ministry might undertake to do that if they could not see their way to the more complete inspection he had suggested. The 2nd clause in the Resolution raised another but cognate question—whether engine-drivers should undergo an examination before they were intrusted with their delicate and responsible duties. There were things with which the State ought not to interfere, and there were others with which it was essential it should interfere. It ought not to attempt to control men's opinions; but it might—and in certain circumstances it ought to—control their actions. The Legislature had settled that in the interests of the nation, children, young persons, and women—the first because they were helpless, and the second because they were subjected to the superior control of their husbands and parents—should be protected. There had been no attempt to interfere heretofore with the unrestricted labour of grown men. If a man simply abused his own powers, he did not think the State had any warrant to restrain him. But the engine-driver was placed in a peculiar position. By the nature of his avocation, his own safety was generally, except in the case of locomotive-drivers, secured; but the lives of his fellow-workmen, and sometimes of the public, were committed to his charge. They required a marine engine-driver to give proofs of his qualification for his office, although he had the strongest possible reasons for observing care and obtaining knowledge, as his own life, in common with the lives of the crew and passengers of the ship he was driving, might be endangered by his incapacity or his carelessness. But the mining engineer could risk the lives of his fellow-workmen, and, in a great measure, keep himself clear of harm. If an examination was necessary in one case it was equally, if not more necessary in the other. The strength of a chain was only the strength of its weakest link. They carefully inspected their mines, took every precaution to secure ventilation, and they not only required the manager to possess a certificate of his competency, but if an accident occurred in a mine under his charge, he was liable to severe punishment and heavy penalties. But the man who commanded the entrance to and exit from the mine—the windpipe and throat, if he might use such a phrase, of the underground organization, which was the weakest link in this chain—might be both unskilled and reckless. They refused to allow a man to sell drugs unless he had at least a rudimentary knowledge of chemistry; and they stipulated that Government clerks, before they were engaged, should show their skill in quilldriving. They debarred a tradesman from prescribing a cure to a neighbour who was afflicted with toothache; and they required the State parson and the State schoolmaster, who combined to teach them how to make the best of both worlds, the one professing to point the way to Heaven and the other to success in this life—the dispensers, in fact, of theology and medicine, of law and learning, had all to demonstrate, before practising, their capacity to fill the office they aspired to. But the man who had the command, under critical circumstances, of a prodigious agency, remarkable alike for its force and its flexibility—which set both weight and solidity at defiance, and could be applied with equal success to the roughest and the most gentle purposes—this man might be entirely ignorant of the principles, and unfitted by habit and training to guide so dangerous and ductile a mechanism. He conceived it would only be acting in accordance with the received ideas of modern legislation to apply to the man who controlled steam-engines the principle of action that had been put in force in almost every other dangerous trade.

Mr. STAVELEY HILL wished to make a few remarks, as a Member of a Committee that had sat on the subject, and as having drawn the Bills which during the two ensuing Sessions he had, with the hon. Baronet the Member for Manchester (Sir Thomas Bazley) and the Chairman of the Committee (Mr. Hick), brought in for the regulation and management of boilers. He thought the hon. Member for Morpeth had attributed too much to the action of the voluntary Associations. Their exertions had certainly had a very good effect; but, instead of entirely checking explosions, he must remark that the report of the only Society whose work could be considered in actual relation to this matter claimed at the utmost that its efforts in the matter of inspection had checked explosions to the extent of about 50 per cent. The Bill he had brought in practically embodied the recommendations of the Select Committee. One of its provisions was to the effect that in the case of a boiler explosion the steam user should within two days communicate with the Coroner of the district; that the Coroner should apply to the Board of Trade for a competent surveyor to assist him; and that when the inquiry was over the Coroner should report the result to the Secretary of State for the Home Department. The Committee were of opinion that it would be unwise to remove responsibility from the steam user by a Government or any other compulsory inspection. They were in favour of leaving the responsibility where it was, taking care that every steam user should be accountable for an explosion; that there should be a searching investigation; and that if anything was found to be wrong, either as to the competency of the men employed or as to the sufficiency of the machinery used, the steam user should be held responsible. That was the result to which the evidence had guided them. Among the witnesses examined was a gentleman of the highest authority on such matters—Mr. Bramwell—who was strongly opposed to compulsory inspection as interfering with responsibility and being likely to interfere with the progress of mechanical engineering. He would remind the House, too, that in the year 1869 a Committee of the British Association, of which Sir Joseph Whitworth, Mr. Bramwell, Sir William Fairbairn, Mr. John Penn, Mr. Hick, and Mr. Lavington Fletcher were members, expressed their opinion in these terms—

"With regard to these provisions the Committee would wish to express a strong and, as they think, wholesome dread of any Government interference with the management of private concerns. They cannot but consider that handing over all the boilers in the country to the supervision of the Board of Trade would prove harassing to steam users and a barrier to progress."

Now, it was true that in 1871 the Committee of the Association had reported in favour of an enforcement by Government of a periodical inspection; but from this report Mr. Bramwell had in very strong terms dissented, and no further action seemed to have been taken. They all knew from the case of the inspection of marine boilers how inspection was liable to degenerate into direction. Inspection might possibly lead to the saving of a few lives. He trusted that that statement would not be misunderstood. If it saved a few lives in one direction, it would be the cause of loss of lives in another. The number of boilers employed in England for generating steam under pressure was considerably above 110,000, and this would require a large number of Inspectors; their salaries could not be large, and the natural object of each would be to report "no accident in my district;" and in order to arrive at this result, he would insist on such requirements as to limitation of pressure and style of boiler as would lead to a bad economy of steam and wasteful use of fuel. And what would be the result of this? It was a lamentable but well-known fact that for every 1,000,000 tons of coal raised 10 lives were sacrificed, and bad economy of steam would necessitate the requirement for a greater amount of coal. It would also lessen responsibility, and unwisely interfere with that which was the greatest factor in English prosperity. Such being the case, he trusted that the Government, although they might sympathize with the sufferers, would not legislate without duly considering the subject; and while he pressed most strongly upon Government the provisions of a measure such as he had brought before Parliament, which would lead to full inquiry and throw a heavy burden upon any negligent steam user, he entirely deprecated anything which would check progress by placing control in these matters in the hands of men not qualified for such work.

Sir THOMAS BAZLEY remarked that experience had shown that the accidents which arose in connection with the use of steam were very serious, and thought that the time had come when something should be done to guard effectually against the loss of life arising from boiler explosions, due either to some imperfection in the construction of the boilers, or to their being carelessly conducted. He would suggest that Associations might be formed in different parts of the country for the purpose of protecting life and property from such explosions. Hon. Gentlemen might not possibly be aware that the House of Commons was warmed by no less than four boilers, and every possible precaution was taken by the Government for insuring the safety of the lives of Members. If such precautions were taken to secure the safety of Members of Parliament, surely Parliament ought to take as great a precaution for insuring the safety of the lives of those who were engaged in the working of mechanical industries all over the country. He thought the Government should give a helping hand to any scheme which might conduce to the preservation of life and property.

Mr. LOWTHIAN BELL said, that he had had something like 40 years' experience, directly or indirectly, with steam engines, and had at the present moment some 4,000 or 5,000 horse-power engaged. If, therefore, he was not a disinterested witness, at all events he had some experience with regard to the matter before the House. The hon. Member for Newcastle (Mr. J. Cowen) had spoken of the ease with which that class of accidents could be dealt with, and, no doubt, in these days of electricity and knowledge of the gases composing water, many old and false notions were exploded. He agreed with the hon. Member that, in many instances, accidents could be traced to defective construction or to want of due care on the part of those who had boilers under their inspection; but he was far from agreeing with the hon. Member that there was still not much to learn in connection with boiler explosions. With regard to inspection being an infallible cure, he had known cases in which boilers had exploded immediately after an inspection, and immediately after boilers had been pronounced safe from all peril and risk. The hon. Member said the principle being accepted the details would be easily settled; but in this and in many things it was the detail that presented the difficulty. The risk that enginemen incurred had been mentioned, and education suggested; but the fact was, if a *quasi*-system of education were to be imposed, that education must be extended downwards to others—firemen, &c.—who had work to do with engines. Those who had crossed the Atlantic Ocean, and had looked into the engine-room, would remember that in the number of men engaged upon the engine there were nearly 20 firemen, and so forth, to every one engineer. Education, then, if introduced at all, must be extended to all these; but he doubted the advantage of this as evidenced by examination. From his own experience of working men, he could quite believe that many men, who were perfectly competent to undertake the care of a steam engine, and in whom he would place the most implicit trust and reliance, would break down under any examination that might be imposed upon them. He was not prepared, however, to oppose the proposition which had been made.

Mr. ORR EWING said, he was of opinion that inspection would do harm instead of good, and that no case had been made out by the hon. Member (Mr. Burt) and his supporters. He pointed out that the soundness of boilers did not always depend upon their age, because those which had been in use some time were surer to be in good condition than perfectly new ones. Statistics showed that there were five times as many deaths caused by omnibuses, cabs, and carriages in the streets of London as were caused by boiler explosions; and would the supporters of this Motion advocate an inspection of every driver and coachman, and require that they should pass an examination? There was not a gentleman's house in London or in the country but was furnished with steam boilers for heating and cooking purposes; would the hon. Gentleman advocate an inspection of the cook, and require her to pass an examination as to whether she knew the effect of allowing water to flow into an over-heated boiler? The fact was that there was no end to this kind of legislation, and he hoped the Government would give no encouragement to it. He thought it would be a great injury to trade to carry this Motion, and he advised the House rather to have some faith in the manufacturers, and to believe that they possessed some degree of humanity and desired to do justice, besides being fully alive to the necessity of protecting their own property. Let the House not relieve them of their responsibility, but leave them as they were, and not put the country under any more restrictions; for he felt the people were suffering very much indeed from being over-inspected already.

Mr. H. B. SHERIDAN said, he thought it would be well if the Government adopted the greater portion of the Resolution, and founded upon it immediate legislation in mercy to the steam users themselves. In his opinion, there ought to be compulsory periodical inspection of boilers; and if such a system were vigorously carried out, he believed the so-called accidents arising from boiler explosions would cease. Unless boilers were regularly inspected, some day or other they must inevitably burst. He had himself asked the House to adopt measures bearing upon the question, but had not succeeded in his object. He had, however, been able to induce the Government to institute an inquiry as to the whole subject; and a Select Committee having reported in favour of inspection, he hoped it would be enacted in a modified form. If legislation had taken place some 10 years ago, when he introduced a Bill on the subject, some thousands of lives would have been saved and many serious injuries avoided.

Mr. HIBBERT, while he was most anxious that everything should be done to secure the safety of the public, was somewhat fearful lest there should be undue interference with manufacturers as to the mode in which they should conduct their business. He thought there should be inspection of some kind, but did not approve inspection by the Government. The system of centralization which was now adopted must lead to an increase of the public expenditure; but it was not on this ground that he objected to the proposal. He did not think that inspection by the Government would be at all satisfactory; but he knew that the inspection which had been carried on by the voluntary Society existing in Manchester had been of a most satisfactory and useful character. What would he propose in the place of compulsory inspection? There were two means which they should adopt in order to make boiler explosions less frequent. The first was, whenever a boiler explosion occurred, an officer should be sent down from the Home Office to be present at any inquest. In that way the Government would get a certain amount of information with respect to accidents and explosions. The second was, where it was proved that an explosion occurred through negligence or gross carelessness on the part of the owner, he should be liable to be proceeded against and made to suffer in pocket. Again, there was the hope of a superior class of men being engaged in working the boilers, and so reduce the number of these unfortunate accidents. He could not give his support to this Resolution, because he did not see a clear way of carrying it out, and because he was opposed, in the present state of business, to interfering with it or with the prosperity of the trade of the country.

DR. CAMERON said, if the Resolution meant compulsory inspection, as would appear from the speech which his hon. Friend the Member for Newcastle (Mr. J. Cowen) delivered in support of it, he should oppose it. If, however, it meant the encouragement of voluntary inspection, he highly approved of it. As to the Government inspection, he deprecated it, not because he was more careless of human life than the hon. Members who had supported this Resolution, but because he believed, if they wanted to save human life, the system of Government inspection would inevitably remove the sense of responsibility from the minds of the steam users. The hon. and learned Member for West Staffordshire (Mr. Staveley Hill) had quoted the recommendations of the Select Committee which sat in 1871; but he made a most remarkable omission, for he entirely refrained from alluding to what was the most important recommendation of that Committee, which was that it should be no defence, when an action was brought against the owner or user, being the master, that the damage arose from the neglect of a servant. That, he thought, was a most important point in the recommendations of that Committee. The fact was that the universal experience of Government inspection and interference had been to show that it had been prejudicial to the interests of human life and of progress. For instance, the Board of Trade interfered with the construction of vessels; and some years ago, one of the ablest officers of that Board—Mr. Gray—published a pamphlet, in which he gave a whole list of instances which showed the evil effects of Government interference, and how they had laid down certain rules as to the positions to be occupied by water-tight bulkheads—which, if they had been followed, considering the progress which was then being made in the matter of shipbuilding, might have led to the ships going to the bottom. Then there were also rules as to the carrying of boats, laying it down that a ship must carry a certain number of boats according to her tonnage, and this was done irrespective of the consideration of whether she was a collier or an emigrant ship. No one could appreciate the value of voluntary inspection more than he could do; and the Courts of the country, so far from being inclined to attach too little importance, sometimes erred on the side of attaching too much importance, to such an inspection. This was apparent from a case which the Mover of the Resolution before the House had referred to in the course of his speech. As to the position of the men, he did not see how the Government could possibly undertake the examination of enginemen, or that that examination would give any greater protection. The Government could not tell whether a man was a drunken or a sober man; and if they once commenced to issue licences and grant certificates, there would be no stopping anywhere. He knew the ship carpenters wanted to get certificates from the Board of Trade, and there had been a proposal for the physical examination of seamen to ascertain whether they were fit for their places; and so, if they carried out the Government examination of these enginemen, they could not logically stop short of having an examination of persons who were in charge of kitchen boilers. He was once consulted by the Society of Enginemen on this subject; and he made a suggestion, which seemed to him to be one which, if adopted, would enable them to carry out their views, and go as far as they ought in this matter. He pointed out to them that he had no doubt that a certificate from a competent body would be highly regarded by steam users; and he reminded them that at the present moment certificates were given by the Society of Apothecaries, the Pharmaceutical Society, the Society of Engineers, and the Society of Architects. All these Societies were chartered, and the certificates were recognized as being of value and importance. But how did these Societies get their charters? They commenced by granting certificates, and they proved to the public that the knowledge upon which they insisted was of value, and that the persons who got their certificates obtained higher wages, and were more sought after by employers. Therefore, they obtained a charter; and he told the Society of Enginemen if they did the same, and granted certificates of such a character, and if those certificates proved of sufficient value, they need not despair of obtaining for them some form of State recognition.

MR. MACDONALD said, it was a repetition of an old cry, to say that if inspection was rendered compulsory the steam-owners would be relieved of all responsibilty. Judged by its results, Government inspection had proved most beneficial. But for inspection — they might call it paternal government if they liked—the annual loss of life in coal mines would probably now have amounted to 4,000 or 5,000, and the non-fatal accidents to five times that number. The beneficial results in factories had been in some districts even greater than in coal mines, although the system of inspection was not by any means as efficient as it ought to be. It was idle to talk of the responsibility of the steam user. He was responsible for his boiler, and for the brickwork with which it was surrounded, because they were his property, which he lost if they were in any way injured; but there his responsibility ceased, for the widows and orphans of the men killed in an explosion were sent without compensation into the workhouse and turned over to the ratepayers. Increased inspection was required, and an Act to declare that when the accident was the result of the negligence of a fellow servant that should be no bar to an action for compensation against the steam-owner by the representatives of the men killed. He should support the Motion of the hon. Member for Morpeth.

MR. ASSHETON CROSS agreed with the hon. Member for Dudley (Mr. H. B. Sheridan), that a great proportion of the boiler explosions could not properly be called accidents. In 99 cases out of 100, the exercise of proper care would show that if matters were allowed to go on as they were an explosion would inevitably result; and, therefore, he felt justified in saying that in the majority of cases of boiler explosions gross negligence, gross ignorance, or a wish not to spend money would, probably, be found to be the true cause. He had been much struck with the remark made to him by a member of a voluntary Association in Manchester, to which reference had been made—"We scarcely need, when we go to inspect a boiler, to ask any questions. The boiler speaks for itself. It tells us it is going to explode, if you only know the language it speaks." The good that had been done by the Manchester Association was incalculable, and his only wonder was that that and similar Associations were not used more all over the country. He thought his hon. Friend—if he would allow him to call him so—the Member for Morpeth (Mr. Burt) had acted very wisely in leaving out of his Motion "Government inspection," for the country, at present, at all events, was not prepared for it. He sympathized with him in his object. He entirely agreed with the hon. Member for Oldham (Mr. Hibbert) that everything that could be done in this direction ought to be done. But the question was, what was the wisest way of doing it? He had not the great horror of inspection that some had. He had seen the good fruits produced by it. Notwithstanding the enormous increase in the quantity of coal produced, the number of lives lost from mine explosions had steadily decreased from the time the system of inspection began. If it had not been for the inspection of factories, the loss of life from accidents by machinery and other things would now have been frightful. In no other branch of inspection had its advantages been more clearly proved than in the case of places where gunpowder and other explosives were manufactured. He could not, therefore, say that he entertained an objection to inspection *per se*. As to Government inspection, he did not think the country would care for it, and the case put forward for Government inspection had not, he thought, been proved. He could not help thinking that a great deal might be done by means of those voluntary Associations of which they had that evening heard so much. The suggestion had been made that, in all cases where death followed an explosion, the Home Office should send someone down to be present at the inquest, in order to ascertain where the responsibility rested. Well, he quite agreed that was a most commendable course; only it was a proceeding that had been in force in the Home Office for some time. Wherever explosions had been reported this course had been followed, and he believed with very beneficial results. His noble Friend the President of the Board of Trade had placed at his disposal, when necessary for the purposes of an inspection of a boiler or a building, officials competent to make a scientific examination; also, the services of the Wreck Commissioners were available in cases of insurance or death, if the Government thought it necessary that an investigation should take place. Therefore, he took the opportunity of assuring the hon. Member for Morpeth that the Government were alive to the importance of the points put forward, and to the necessity, where there was an explosion occasioning death, of seeing that justice was done, and the responsibility brought home to the right persons. As to having an examination such as that suggested by the hon. Gentleman, he could only say to have such an examination of persons all over the country would, in his opinion, be impossible. A valuable suggestion, he thought, had been made by the hon. Member for Glasgow (Dr. Cameron). He believed that a certificate issued by such an Association as the Manchester Steam Users' Association would be of the greatest possible value, and the holders of those certificates would be persons sought out amongst all others for the purpose of taking charge of boilers. He was quite sure that Association would take the matter into consideration; and if the proposal could be put into operation, he was sure the Association would not wait to be requested to give it effect. Now, what were they to do with the Motion? He could only say that, so far as he was himself concerned, he should still go on pursuing the same course that he had hitherto taken, and should continue to give his attention to the subject, He did not think they would gain anything by dividing on the Motion. People might draw an inference that there was some difference on the matters involved, while there was not. The only difference of opinion, he thought, was as to the best manner of accomplishing the object in view. He would suggest that it might be well for the hon. Member for Morpeth to content himself with the general expression of opinion obtained, and to be satisfied with its effect on the country at large. This advice, he assured him, was sincerely and honestly given.

Mr. BURT said, he could not profess to be altogether satisfied with the speech made by the right hon. Gentleman; but, at the same time, yielding to the advice of his Friends and the wishes of the House, he should beg leave to withdraw his Motion, reserving to himself the right to watch the subject, and to bring it forward in a less objectionable shape.

Motion, by leave, *withdrawn.*

RAILWAYS AND TRAMWAYS.

RESOLUTION.

Mr. DELAHUNTY rose to move—

> "That, deeming it essential and necessary to increase and develop the resources of the three Kingdoms in every part thereof by the formation of Railways and Tramways, this House is of opinion that, in every district where, under existing circumstances, local traffic will not induce private enterprize to undertake such formation, and where the ratepayers, inhabitants, and others interested are willing to guarantee the annual interest and sinking fund upon the cost of construction, that the Public Works Loan Commissioners, or the Public Works (Ireland) Commissioners, with the consent of the Lords of the Treasury, should be empowered to advance the requisite moneys required for such works at the same rate of interest as is charged for sanitary loans."

The hon. Gentleman said, in bringing forward this question, he considered it necessary to give some reasons as to why, in his opinion, the Government should accept the Resolution. He looked upon free exchange as necessary to the development of the resources of the country; and the reason why he had at times brought forward the question of the currency was that he believed that a course of action founded upon the lines of his Resolution was calculated to facilitate exchange between man and man by carrying the products of their industry from district to district. Hence the necessity of more railway accommodation. This country, no doubt owing to its free exchanges in money, had received great advantages; but, at the same time, there were portions of the country that had not been able to acquire railways, and it was in order that those districts should have the power to make railways that he brought forward his Motion. France, through its Ministry of Public Works, had agreed to spend £20,000,000 in adding railways to districts which now did not possess them. He did not ask the Government to do anything of the kind; but he wanted them, in districts where security could be given for annual interest on money required for construction and a sinking fund, to give the parties the benefit of their credit, in order that they might get the money cheap. There were many parts of the Kingdom which required that help, and no portion of the Kingdom more than Ireland. The people of Ireland were anxious to possess railways, and the county he represented (Waterford) had agreed to promote their construction, but difficulties were in their way. The course he suggested in his Resolution, if adopted, would remove those difficulties.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, 30th April, 1879.

MINUTES.]—Select Committee—*First Report*—Commons (Scotton and East Stanmore) [No. 158].

Public Bills — *Ordered* — *First Reading* — Local Government Provisional Orders (Aysgarth Union, &c.) * [142]; Valuation of Lands and Assessments (Scotland) * [144]; Game Laws Amendment (Scotland) * [143]; Trustees Relief * [145].

Second Reading—Intoxicating Liquors (Ireland) [32], *debate adjourned;* Banking Laws Amendment * [73]; Dispensaries (Ireland) * [66]; Local Government Provisional Orders (Ashton under Lyne, &c.) * [127].

Committee—Parliamentary Burghs (Scotland) * [97]—R.P.

Committee — *Report* — Public Health (Scotland) Act (1867) Amendment * [107]; Public Health (Scotland) Provisional Order (Castle Douglas) * [120].

Withdrawn — Licensing Boards (Scotland) (No. 2) * [82].

NOTICE OF MOTION.

FOREIGN AND COLONIAL POLICY OF THE GOVERNMENT.

Sir WILFRID LAWSON: On the Motion for going into Committee of Ways and Means, to move—

> "That this House disapproves of the Foreign and Colonial Policy which renders necessary the increased and increasing National Expenditure."

PETITIONS.

INTOXICATING LIQUORS (IRELAND) BILL.

PETITIONS PRESENTED.

Mr. M. BROOKS: I beg to present 31 Petitions from different districts in Ireland, including one from the Working Population of Dublin, having no less than 30,000 signatures against the Saturday Closing Bill of the hon. and learned Member for Louth (Mr. Sullivan), a Petition which, on account of its great importance, I beg to move be read by the Clerk at the Table.

Motion *agreed to.*

Petition read.

Motion made, and Question proposed, "That the said Petition do lie upon the Table."—(*Mr. Maurice Brooks.*)

Mr. SULLIVAN said, he believed this was the proper time to call attention to the terms of the Petition, and to raise the question whether, in consequence of its irregularity, it should not be received and laid upon the Table of the House. The meeting at which the Petition was represented to have been adopted was held last Sunday in the Phœnix Park, near Dublin, between the hours of 4 and 5 o'clock, and since then there had been published in the Irish newspapers, or some of them, a statement as to the nature of the Petition. In that Petition reference was made to a circumstance that took place at Cork on the same day, very probably about the same hour, and that strongly suggested the idea that the Petition was composed after both meetings had been held. He felt justified, therefore, in calling attention to the irregularity, and he hoped that all the circumstances connected with this Petition might be seriously inquired into.

MR. SPEAKER: The Question before the House is "that the said Petition do lie upon the Table."

SIR WILFRID LAWSON thought it by no means desirable that the Petition, after the statement of the hon. and learned Member for Louth, should lie upon the Table, at all events, until after full examination. It seemed to him to be a very extraordinary Petition, and he hoped the hon. Member who presented it would be prepared to give some explanation.

MR. MELDON: I beg to move that the debate be adjourned in order to afford an opportunity for inquiring into the circumstances which have been brought under notice. It certainly would be premature for the Petition to lie on the Table.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Meldon.*)

MR. M. BROOKS: I know really nothing of the contents of the Petition, which I received by post this morning. I am at a loss to know what statement in the Petition has been impugned by the hon. and learned Member for Louth. Perhaps the hon. and learned Member will read that portion of the Petition, in order that the House may understand what his complaint is?

MR. SPEAKER: The Petition has been already read by the Clerk at the Table, and the Question now before the House is "that the Petition do lie upon the Table." If that Motion be agreed to, then it may be followed by an Instruction to the Committee on Public Petitions, to which in the ordinary course it will be referred on the points raised by the hon. and learned Member for Louth.

MR. SULLIVAN: Then, Sir, I will ask my hon. and learned Friend the Member for Kildare County (Mr. Meldon) to withdraw his Motion for the adjournment of the debate, and then allow me to propose a Motion similar to that suggested by you, Sir, for an inquiry by the Committee into the circumstances surrounding this particular Petition. The passage to which I referred is—

"That the countenance given by your honourable House to such Bills is productive of internecine strife amongst the working population —leading small factions into such conflict with the mass of the people as is calculated to lead to the most serious breaches of law and order, as evidenced by the serious disturbance in Cork on Sunday, the 27th inst.; and also by the fact that about 1,000 men, women, and children, held an almost impromptu meeting to that of your petitioners, at which about 20,000 people were present, but who generally resisted the provocation thus thrust upon them to commit a breach of the peace,"

from 4.30 to 5 o'clock being the time at which this incident occurred at Cork. Therefore, while the meeting in the Phœnix Park was being held, and the Petition agreed to, the circumstance at Cork could not have been known in Dublin.

MR. MELDON: I beg to withdraw my Motion for adjourning the debate.

Motion, by leave, *withdrawn.*

MR. SPEAKER: Will the hon and learned Member for Louth bring up the Motion which he proposes to make?

MR. SULLIVAN proceeded to the centre Table, and after examining the Petition which had been presented and read, returned to his seat, and said—I have a personal explanation to make. I find that the Petition does not contain the particular words of which I complained, and which, according to a statement advertised in *The Irish Times*, were adopted by the opponents of the Bill. But it appears they have been wise enough not to place them before this House. I, therefore, beg to withdraw my Motion.

Motion, by leave, *withdrawn.*

MR. CALLAN: With reference to the point raised by the hon. and learned Member for Louth, with his usual ecstacy and excitement, I desire to state that the meeting in the Phœnix Park was not held at 4 o'clock. The day was a beautiful one, the assemblage was large, fully 20,000 people were present, and the proceedings did not close until 7 o'clock, when the Petition was adopted. So far the hon. and learned Member for Louth is much mistaken, and he appears to have been caught in the trap laid for him by some clever person.

Original Question put, and *agreed to.*

Petition laid upon the Table.

PARLIAMENT—ORDER—ALTERATION OF QUESTIONS ON NOTICE PAPER.

OBSERVATIONS.

SIR ROBERT PEEL: Sir, I beg to rise to a point of Order. The Question which I yesterday gave Notice of and read in the House, and which was framed according to the highest authority on such matters, does not appear, from some strange alteration, upon the Paper of the day. I will, with your permission, Sir, read the Question of which I gave Notice yesterday, and then it will be seen the great difference which exists between them. That Question is to this effect—

> "Whether, inasmuch as some years ago, in the interests of humanity and liberty, and principally owing to the noble appeals of the right hon. Gentleman the present Member for Greenwich, the Government of that day took steps to mitigate the horrors of the State persecutions of the Neapolitan Government, do the British Government now propose to take any steps towards mitigating, in the interests of humanity, the horrors and atrocities in which the Reign of Terror in Russia is now carried on over eighty millions of people?"

That is my Question of which I gave Notice yesterday; but the Question on the Paper is very different. The Question on the Notice Paper appears in these terms—

> "To ask Mr. Chancellor of the Exchequer whether, inasmuch as some years ago, in the interests of humanity, the Government of the day took steps to mitigate the horrors of the State prosecutions of the Neapolitan Government, Her Majesty's present Government propose to take any steps towards mitigating the severities now being practised in Russia against persons suspected of being concerned in the Nihilist conspiracy?"

Now, my Question has no reference to any conspiracies of the Nihilists. I read in the public journals, and I see in every public paper of Europe, statements headed "Reign of Terror in Russia," and in confirmation of the Question which I have put I will read a statement of what the present condition of Russia is—

> "The principal measure which has been taken by the Russian Government is to determine in a summary manner all civil liberty."

That is what the right hon. Member for Greenwich (Mr. Gladstone) inveighed against in the case of the Neapolitans of that day.

> "All Russia is in a state of siege. The life and liberty and property of every Russian are at the mercy of any one of the eleven Generals appointed by the Government of Russia over the military districts. The Government of Russia is at war with the people of Russia."

It was owing to that statement, which every man in this country, and which every liberal-minded man in the country must deplore, that I ventured to put this Question, which is not on the Paper, but which has been altered by someone and made to refer to severities practised by the Russian Government upon persons suspected of being connected with the Nihilist conspiracy. Now, I know nothing of persons concerned in a Nihilist conspiracy. In fact, I have not been able to find anyone who can tell me the meaning of the word "Nihilism." I have here a vast quantity of documents to prove that it is not against the Nihilists that I gave notice of this Question, but against a state of things in that country which, as the right hon. Member for Greenwich stated in his time as regarding the Neapolitans, was a disgrace to humanity and civilization. I do not know whether I should be at liberty to read some extracts from English and foreign newspapers which refer to this matter——

Mr. SPEAKER: I wish to point out to the right hon. Baronet that the Question which he submitted yesterday to the House was not in Order, and I will endeavour to explain to the right hon. Baronet in what respect the Question was out of Order. The right hon. Baronet does not seem to be aware of the difference between a Question put to Ministers upon matters of fact and a Motion to be submitted to this House which may apply to any question that becomes a proper subject for debate in this House. If the right hon. Baronet desires to raise a question which involves matter of debate and argument, a Motion of that kind should be submitted to this House in the form of a Motion, and not in the form of a Question to a Minister. Questions put to Ministers should be on matters of fact, and not involving matters of argument and debate; and the terms of the Question which the right hon. Baronet proposed to put yesterday were in these respects out of Order, and, therefore, that Question was altered by my authority. If the right hon. Baronet desires to raise the question of which he gave Notice yesterday, in the terms of which he gave Notice, it should be put in the form of a Motion, and submitted for debate to this House.

Sir ROBERT PEEL: I bow with every respect to the ruling of the Chair; but I would venture most respectfully to submit that the words I use now are words which appear in the Records of this House for 1852 and 1853, as having been put as Questions to the Government of the day; and over and over again, two or three years ago, we had Questions put to Ministers of the Crown respecting the atrocities in Bulgaria in almost the same words as those which I use. Of course, I do not mean, and I should not for one moment venture, to stand against the opinion of Mr. Speaker; but I must venture, and I do most respectfully submit, that I never could have asked a Question with respect to persons suspected of being concerned in the Nihilist conspiracy, because, as I have already said, I know nothing whatever about them. But, Sir, as I do not see the Minister to whom I put the Question has had the courtesy to appear in his place, and as I recollect Lord Palmerston saying in this House that if a Minister did not come down to answer a Question which was put on the Paper, and which he was bound to answer, his absence was an act of disrespect to the Member putting it——

Mr. SPEAKER: I must point out to the right hon. Baronet that he is not entitled to introduce matter of debate.

Sir ROBERT PEEL: I wish to ask you, Sir, whether, as I put down a Question on this most important matter, I may not bring it under the notice of the House, in the same way as it was brought under notice in my time—27 years ago—with regard to Naples? I want to know what I am to do in this matter, because I do not intend to put a Question respecting persons concerned, or persons suspected of being concerned, in the Nihilist conspiracy. I wish to point out that persons who are innocent are subject to these horrors. Then, of whom am I to ask the Question? Shall I put it to the gallant Admiral (Admiral Sir William Edmonstone) who sits behind the Treasury Bench? Will the gallant Admiral answer it? Sir, I believe I should be perfectly in Order in remaining on my legs until some Minister comes to answer the Question.

Mr. SPEAKER: I must call upon the right hon. Baronet to allow the House to proceed to the Orders of the Day. The Clerk will now proceed to read the Orders of the Day.

Sir ROBERT PEEL: Before you put that Question, Sir, may I venture to ask if I can put my Question down for another day?

Mr. SPEAKER: Certainly not the Question of which the right hon. Baronet gave Notice yesterday. That Question would necessarily require to be revised, so as to make it consistent with the Rules and Orders of the House. If the right hon. Baronet will revise it accordingly, he is perfectly free to put the Question; and if the right hon. Gentleman desires to proceed by a Motion, of course, he can do that on any day he thinks proper.

Major O'GORMAN: I should like to ask the right hon. Baronet whether he gave distinct Notice of his Question to a Minister of the Crown?

Sir ROBERT PEEL: Yes; I gave Notice of it verbally.

Major O'GORMAN: Then, Sir, I think it is very disrespectful to the House and to the right hon. Baronet that no Minister of the Crown is present to answer the Question.

ORDERS OF THE DAY.

INTOXICATING LIQUORS (IRELAND) BILL—[Bill 32.]

(*Mr. Sullivan, Mr. Dease, Mr. Meldon, Mr. B. Whitworth.*)

SECOND READING.

Order for Second Reading read.

Mr. SULLIVAN, in moving that the Bill be now read a second time, said, of the numerous Bills which had been presented before that House proposing to deal, in one shape or other, with the liquor question, he believed this was the only Bill from Ireland. Considering that in an early Session of the present Parliament Her Majesty's Government introduced a comprehensive measure, which it was hoped would settle for many years all legislation on this question, one must be struck with the fact that, nevertheless, there had not been in the memory of any hon. Member in the Assembly of Parliament a Session in which Bills proposing to regulate and restrict the liquor traffic so largely abounded. The strongest champion of the liquor traffic must frankly admit that the presence of those Bills and Motions in that House was a circumstance the meaning and significance of which it was vain and impossible to qualify or deny. From all sides of the House, and from all sections, these propositions emanated.

They came from Conservative Members, from Liberal Members, and from Home Rule Members; from Catholics, from Church Protestants, and from Nonconformists; from men of every opinion, political and religious, in that House, there came some effort, in some shape or other, to terminate a state of things which everyone admitted called for a remedy. It was recognized by everyone that it had now become certain that the existing state of things ought not to remain, and was not to remain. Even Her Majesty's Government, the other evening, in a very interesting debate, and after a very remarkable Division, declared as much as that; and an Amendment of the hon. and learned Member for Leeds (Mr. Wheelhouse)—who, for the first time on a liquor question, he failed to see in his place, and whose absence he sincerely hoped was, at all events, not caused by illness—an Amendment of the hon. and learned Member for Leeds declaring against any further interference, or as the hon. and learned Member himself would have called it, worrying the liquor trade, was negatived without a Division, notwithstanding a piteous and imploring appeal from the hon. and learned Member to be allowed to strangle his own progeny with his own hands. The Bill which he (Mr. Sullivan) had the honour to propose, unlike many of the propositions—such as the Gothenburgh system, Elective Boards, and the Permissive Bill—raised no novel principles of legislation; it was simply taking the principles of legislation which we had already, and making use of them, inasmuch as no man in that House doubted that the hour at present fixed for closing public-houses on Saturday nights was an hour fixed by Parliament, and that Parliament might increase by five minutes, or an hour, or decrease by five minutes, or an hour, or two hours, that time, without introducing any novel principle of legislation. In plain truth, he was at a loss to understand how any man could oppose the second reading of this Bill, unless he was prepared to declare that neither a second more or a second less of trading on Saturday nights in Ireland would be a desirable improvement. They were relieved in discussing this Bill from one embarrassing point. He thought they would hear nothing in this debate about Sabbatarianism. They had, happily, done with that bugbear, although, singularly enough, there was one thing of which he would remind his hon. Friend the Member for Limerick (Mr. O'Sullivan) — namely, that Saturday was the real Sabbath. He threw that out as a hint for his hon. Friend. In this debate there would be no question of the working man, with his family, after the labours of the week, wishing to ramble through beautiful meadows and green fields with an innocent rum bottle in his pocket. There would be no descriptions of little children picking the buttercups and daisies whilst the excellent husband refreshed the wife of his bosom with a pull at the gin flask. That could not take place on Saturday nights. Even his hon. and gallant Friend the Member for Waterford (Major O'Gorman) would hardly suggest that persons would be roaming about through meadows and fields at 11 o'clock on a Saturday night unless it was to find out a potheen still. [Major O'Gorman: Yes; and find it, too.] He (Mr. Sullivan) had no doubt his hon. and gallant Friend was quite right. The whole principle of his Bill, therefore, he fought out upon one proposition—namely, whether it was desirable to shorten the drinking hours on Saturday nights. As to the degree of limitation, that was a matter for consideration in Committee, and all he could say was that he was not pledged to any particular hour. He wished that question to be discussed in a Committee of the Whole House, who would decide whether they should take away four hours, half-an-hour, or three hours. He himself had no fixed and definite opinion one way or the other, except in this respect—that he had a conviction that the shortening of the hours on Saturday nights ought not to be the same in large towns as in country towns and rural districts. He contended that there ought to be a much larger shortening in large cities. There were five large cities in Ireland which did not obtain Sunday closing. Those cities were exempt from the Sunday Closing Act. Now, in those five cities there was not only permission to trade on Sunday, but to a large degree the Saturday half-holiday system was adopted, so that the closing at 6, 7, or 8 o'clock would give as much time for persons to go marketing, as closing at 9 o'clock would in country places where the men worked up to 6 o'clock. He therefore contended that the hour of closing in country districts ought not to be limited to anything like the same extent as in the five large towns. Another reason for not having the same hours was that in country places many of the shops which sold liquor also sold other commodities which were extremely useful and even necessary to the working classes. He should be sorry, by proposing to remedy this evil, to do any unnecessary wrong; and, therefore, he was willing to discuss this matter in Committee, and was most desirous to accept any suggestion which might be thrown out that would, while taking an hour or two away, not interfere with the sale of other commodities. A suggestion had been made to him by a gentleman interested in the liquor traffic that the public-houses should be closed in the country after 8 or 9 o'clock for the consumption of liquor on the premises, leaving them free to sell other articles; and, without pledging himself to it, he confessed it seemed on the face of it to be a fair and reasonable proposition. Again, in the country districts there were none of those flaring gin-palaces where alcoholic drinks and nothing else were sold. He did not expect to carry his Bill this year, or perhaps next; but he thought it would be carried within the next three years. Petitions had been presented against this Bill by those interested in the liquor trade; but he thought the reason was not so much opposition to this measure as what he might call the "back wash" of the Sunday Closing measure. The vintners of Ireland were suffering very much irritation from the effects of that Act, which had diminished their receipts, and they had been instrumental in getting up Petitions against this Bill. One of those Petitions, the one which was presented to-day, and which he had called attention to, was advertised in *The Irish Times*, a paper which was not very likely to insert advertisements without pay, and contained the paragraph he had read, and which did not appear in the Petition which had been laid on the Table. He had no hesitation in saying that that Petition bore evidence of having been drafted after the meeting. Another Petition had been published purporting to be signed by secretaries of several Associations, as representatives; but it had been confessed in print by the gentlemen who prepared it that the persons who signed had no authority to sign as such representatives. One person had signed himself member of the Oddfellows and other Societies That person might just as well have signed for the Protestant Church of Ireland, or for the Catholic Church. The document was a fraud, and here was the admission of that fraud by the gentleman who had got it up—

> "Some of the signatures were affixed after deliberation, others were not; but it is not by any means intended to convey that these signatures act in an official capacity."

However, he rejoiced that the opponents of his Bill were taking to public meetings. Although public opinion might be a little stormy on the subject, and although he might be a good deal abused, he was used to that sort of thing. It would not hurt him a bit. If his character were not able to stand a great deal more than that, it must be very fragile. He rejoiced, he repeated, that the liquor interest in Ireland was taking to public meetings. Formerly they had insisted upon the rights of minorities; but now they had changed their tactics, and were going in for the majority as representing public opinion. That was an admission, in effect, of the principle of the Permissive Bill, and was fatal to the position which some of his hon. Friends had previously taken up. When those who disapproved of this Bill went to get up public meetings they did so in a most lamb-like fashion. They deprecated violent speech and intemperate language on the part of temperance advocates. A requisition was taken round—not, perhaps, in the stand-and-deliver fashion; but a requisition was taken round by influential gentlemen connected with the trade to the merchants and traders in Dublin, one by one. They were asked to "Sign this; it is for a meeting to declare against vituperation of our trade," and the answer was, "Of course I will sign it." But what was the language of the publicans and their friends when they took the platform? No one was to be personally assailed; that was declared to be violent and wrong. He held in his hands a bill which had been issued by the opponents of the Bill; and what were its terms?—

> "The New Coercion Bill. Sign a Petition in opposition to the Saturday Closing Bill of Messrs. Sullivan and Meldon, the place-hunting

lawyers on the watch for Whig office by betraying the people."

That was the first ebullition of the gentlemen who, in getting up public meetings, desired that there should be no personalities, but that there should be mild and gentle language.

Sir JOSEPH M'KENNA was understood to ask who had to do with the requisition to which the hon. and learned Member had referred?

Mr. SULLIVAN said, he could throw a great deal of light on the point as to who paid for these things by alluding to an instance, which he recommended to the attention of some hon. Members. Whereas the Irish Temperance and Permissive Bill Associations published their accounts and had auditors to certify as to every sixpence, when the Vintners' Association was asked to act in a similar manner, they declined to do so —in other words, they dared not expose the whole of the way in which their expenditure had been incurred. Then, again, with reference to temperance of language, a Mr. Leahy had said—

> "Mr. Sullivan should recollect the time when he was an Irishman. [A Voice—'He is a traitor.'] [Laughter and groans for Russell.]"

That was the secretary to the Temperance Association. He hoped Mr. Russell had not been destroyed by those groans. Mr. Leahy added—

> "This early closing business is intended to destroy and injure the trade of Dublin, and the simple ambition of Mr. Sullivan is to make the city a barren waste."

That was an intention which he should not trouble himself to disclaim. The first resolution passed at the meeting at which those remarks were made was to declare and to condemn the systematic vituperation by which licensed traders had been habitually disquieted, and afterwards a gentleman of the name of Murphy rose, and he deplored the extreme personality which was sometimes indulged in, and said that when he looked at the names which emblazoned the history of Ireland, and then looked at Sullivan, that wretched traitor to his country, who once professed national principles, he could not for a moment hesitate to give vent to his feelings. This gentleman said—

> "At one time, Mr. Sullivan could head an Irish procession in honour of the Manchester martyrs; but at another time he can turn his coat, and if there were a vacancy to-morrow for a hangman Sullivan is the man."

Mr. Sullivan

And yet there was to be no violence of language. There was to be agitation, in which there should be nothing but drawing-room phrases used by the publicans and their friends; but a very pathetic speech had been delivered on the subject. A Mr. Flood pointed to the spires of St. Patrick's Cathedral, and asked the working-men to whom he spoke, "Who has restored that building? A brewer. Think," he said, in effect, "of the money which was expended in restoring that Cathedral. How would you like to see it in ruins, and if the Bill, which Mr. Sullivan is introducing, is passed now, when it was desolated, where would you get the money to restore it?" Seeing that the edifice in question had been restored in a manner which was likely to last for 700 years, he was prepared to take his chance of the odium of posterity in connection with this matter. But once more, it was resolved at a publican meeting which was held the other night to conduct a model agitation, and what was the language which was then employed?—

> "The men of Dublin were able to mind their homes. They would not require advice from a paid agitator, who would find more chance of exercising his talents in the land of cakes. [A Voice: He ought to get a bullet in his head.]"

That was a specimen of the mild and moderate way in which these gentlemen spoke. Once again—

> "Mr. Sullivan has been dragged out of obscurity by betraying his countrymen. He has gone to England, forsaking his countrymen."

Well, with regard to the latter accusation, he shared the dreadful crime of exile with 2,000,000 of other Irishmen in Great Britain. The remarks went on—

> "He has gone to England, forsaking his countrymen, and has become more of an Englishman than an Irishman. He has no Irish, no real, love for his countrymen. He was a Sabbatarian from the beginning."

Well, he hoped he would always observe the Sabbath. What was the moral of all this? What was the impression which any foreigner would derive from reading it? The impression would simply be that one might labour for his country and defend his religion, but the moment he harmed the gin palace "away with him." One might spend his life in an effort—it might be an unsuccessful effort—to serve and benefit the nation; he might suffer sacrifice, he might even face prison for it, but if he touched the rum bottle he was, forsooth, a traitor. The meetings to which he had referred were nearly every one of them public meetings, got up and paid for by publicans' money. Go to Dublin, and who was chairman at the meeting there? Mr. John O'Connor, gin-palace owner. Who paid for the bands that drew a crowd of curiosity seekers to the Park last Sunday? The publicans. Who offered, and offered in vain, £10 for a band in Limerick to assist at a meeting to protest against this Bill? The publicans. There was no genuine popular feeling whatever against his measure, but an artificial excitement had been got up and paid for by the publicans. This idea as to Saturday closing was no new idea. The story had been disseminated in Ireland that it had only been started within the last few months, and the people of that country had been told that it was only a following up, step by step, of the Sunday closing transaction. Not a bit of it. He had always been in favour of it, and as long ago as 1868 the mass of testimony was in support of the movement. In the Sunday closing debates of the past seven years no name was so constantly mentioned by the publicans' friends as that of the very rev. Canon M'Cabe, of Dublin. That estimable dignitary of the Catholic Church had now, to the joy of the people amongst whom his life was passed, been elevated to the dignity of the Archbishopric of Dublin; but it was safe to prophecy that the men in that House so often lauding his wisdom and quoting his evidence, would laud him and quote him no more; for his Grace was clear and strong in his recommendation of Saturday early closing. Before the Select Committee of 1867 he was asked, with regard to Saturday evenings, whether he was of opinion that a great deal of mischief was done by the lateness to which public-houses were kept open on those nights, and he answered that he was strongly of that opinion, and that he thought the misery of the ensuing week was very much to be attributed to the circumstance. Mr. Francis Lyons, the Mayor of Cork, who did not agree with Sunday closing, spoke to the same effect; and Mr. J. C. O'Donnell, the resident magistrate of Belfast, declared that Saturday night was a night of debauch in that large and important town, and that the evils which came before him in connection with that evening were not to be compared with those which arose during the rest of the week. Mr. Hamilton, the resident magistrate of Cork, who was opposed to Sunday closing, expressed a similar opinion. In short, not merely those who were in favour of Sunday closing, but those who differed from the advocates of that movement, declared with one voice that the evils of Saturday night were most pernicious. Even Mr. Hugh O'Donnell, the president of the Grocers' Benevolent Association in the City of Dublin, a most respectable gentleman, who had his fortune engaged in the trade, agreed that there were evils in connection with the traffic on Saturday nights which ought to be dealt with, whatever might be done as to Sunday; and Superintendent Corr, of the Dublin police, whose opportunity for observation had been large, declared that while he was against Sunday closing, there could be no doubt that the Saturday night was a night of havoc and of woe amongst the working classes of that city. So also testified Dr. O'Shaughnessy, a Justice of the Peace for the City of Limerick, a gentleman whose character was widely known and universally respected, and who devoted a large portion of his time not in observing an attitude of neutrality on this question, but in endeavouring to hew down the evil. There was a mass of testimony to the same effect in 1868. Coming down to the Committee that sat in 1877—had there during these 10 years been any change in this consensus of opinion on the part of men who had the most varied views on other propositions? Captain Talbot, the Commissioner of Police in Dublin, was examined in 1877, and that gentleman distinctly stated that he attributed the prevalence of the arrests, disturbances, and crimes in the Irish Metropolis to the late hour at which the public-houses were allowed to keep open on Saturday nights. Mr. Woodlock, the divisional magistrate of Dublin, was asked whether there was any remedy which occurred to him as being advisable to adopt, and he answered—

"The Saturday night's drinking is the thing which presses most upon my mind with respect to Dublin, and I confess, apart from the question of Sunday closing, which is another matter, that I should be willing to adopt a very summary and a very premature system of closing public-houses on Saturday evenings. I would close them at a very early hour, indeed, certainly not later than 7 o'clock, possibly earlier. I would close them early on Sunday besides. Speaking from my own feeling, I would close them altogether."

Mr. J. C. O'Donel, another divisional magistrate of Dublin, was asked a question on the subject, and he said in reply—

> "I don't know whether you wish to ask my opinion about early closing on Saturdays, but I have no hesitation in telling the Committee that, putting aside the consequences to persons holding licences, if you look only to the improvement of the moral condition, the saving of wages, and the domestic happiness of the working classes, you should stop drinking earlier on Saturdays."

The same witness added, at the close of his evidence—

> "By all means close earlier on Saturdays, if you want, as far as legislation can do it, to save the people."

Then came the secretary of the Vintners' Association. Now, this was a gentleman whose handiwork they could trace in all the opposition to this Bill; and yet, when before the Committee, he had declared the Saturday night drinking to be a real and genuine evil. He thought the evil in regard to Sunday was fanciful; but he declared, in answer to the Committee, that the Saturday night drinking was a substantial, and not an imaginary, evil; and he said that the publicans of Dublin would be glad if they could practically see their way to shortening the hours on Saturday nights. Lest he should be suspected of misrepresenting the witness's evidence, on account of their widely different views, he would just read it, and the House must remember that this gentleman occupied such a position that if he allowed a word to slip, which, when he got back to Dublin, did not suit the vintners, his office and salary would be unsafe. Nevertheless, he said—

> "Intemperance and excessive drinking undoubtedly exist more on Saturday night than at any other time."

There was the case that he wanted to make for the House to-day. There, out of the lips of the vintners' secretary, was the whole case for his Bill. The witness said—

> "If the intemperance and excessive drinking which undoubtedly do exist much more on Saturday night than at any other time can be put a stop to by any reasonable sacrifice on the part of the publicans, I think I could almost undertake for them, that they would be willing to consent to make that sacrifice."

Now, he (Mr. Sullivan) only asked those gentlemen to be as good as their word. The witness was asked if the publicans would consent to Sunday closing, if it would have a similar effect, but he replied—"Sunday closing stands in quite a different position," and with that he (Mr. Sullivan) quite agreed. The witness being asked—"Do you think the state of things on Saturday night an imaginary evil?" he replied—"I do not;" and being further asked—"Do you think it is a real evil?" he answered—"Yes." Then came Alderman Daly, of Cork, who was against Sunday closing, but who declared in favour of Saturday night closing. Mr. Heard, an official witness, the County Inspector of Waterford, gave evidence to the same effect. All these were opponents of Sunday closing, and they agreed in saying Saturday night was the night of all others that did the evil. Then came Mr. Duignan, a brassfounder, who was sent over to give evidence by the publicans of Dublin. He believed he recognized Mr. Duignan as one of the speakers in the interests of the Dublin publicans against Saturday night closing now, although two years ago he came over all the way to London to recommend it. Mr. Duignan was a comparatively humble man, and it was due to him to say that he was not the only man in the predicament of having to come forward publicly now and deny his protestations solemnly made on this question two years ago. They found more eminent men than a poor brassfounder put in that unholy predicament. However, Mr. Duignan was asked whether, if the public-houses were closed on Saturday night, the wives' influence at home would not tend to diminish drunkenness there? Mr. Duignan replied—

> "I believe so. I think what the working men and their wives complain of is the Saturday night's drinking."

Then he was asked, "Are you in favour of early closing on Saturday night?" and he said, "I would be." Like many a man in a higher social station, they caught Mr. Duignan to-day, however, sounding the loud timbrel, calling all to arms to resist the Saturday Closing Bill. It was a miserable spectacle. Then came the resident magistrate of Belfast, in favour of Sunday closing. And then there was Dr. O'Shaughnessy, of Limerick, whom he had already quoted. The Clerk of Petty Sessions in Waterford, and several other witnesses, repeated in 1877 their declarations against Sunday closing, but in favour of Saturday night closing. Lastly, the Recorder of Dublin came forward. He might say of him, that in a few short years, filling that official position, the Recorder of Dublin had won golden opinions. Selected by a Conservative Government to preside over a city largely Roman Catholic and Liberal, there never was a public appointment made by a Conservative Government in Ireland that was hailed with greater delight and satisfaction by the people. There never was a man placed in a judicial position in Ireland, who had won such feelings of affectionate respect from the people over whom he presided. What was the evidence of that official, the licensing authority of the city? He was in favour of Sunday closing, but he said, "Whatever you do on Sundays, deal with the Saturday nights." Now, he (Mr. Sullivan) had preferred to base his observations, even at such length, almost exclusively on an array of the public official evidence taken as to the necessity of legislating on Saturday closing. He might go further, and quote the evidence given before the Committee of the House of Lords, but he would not weary the House. He saw present his hon. Friend the Member for Cork (Mr. Murphy). They knew with what ability the hon. Gentleman had defended the interests of the vintners of Ireland, although he had exercised that ability with tact, consistency, and a due regard for the future of his own position. Well, what did the hon. Member say? He said—"Cut off an hour or two from the Saturday nights." There were many other hon. Members besides the Member for Cork arrayed against them on Sunday closing who suggested earlier closing on Saturday nights. There was the hon. Member for Dublin (Mr. M. Brooks) present, of whom it might be said, whether he took his view or not, that he was a man who had given proofs by his personal conduct of a genuine desire to elevate the morals and domestic condition of the people. He believed that in the ranks of temperance reformation there was no man who was more sincere; but what did the hon. Member say? In a letter which he wrote to a friend in Dublin he complained about the Sunday Closing Bill, and said—"Why do they not help me in my efforts to shorten the hours on Saturday night?" [*Cries of* "Read."] If there was the slightest wish he would read it, but he did not think the hon. Member would accuse him of misrepresenting him. The hon. Member, in his letter, said—

> "I honour the motives of the Sunday closing advocates, but with the sense I have of my personal responsibilities I cannot go with them. If there are to be further restrictions they should not be confined to Sunday. I cannot understand those who take so much interest in the Sunday Closing Bill, but who so persistently refuse to join me in my efforts rather to restrict the hours for the sale of drink on Saturday."

Now, he (Mr. Sullivan) would volunteer to join in the hon. Member's efforts. He would surrender his place on the back of the present Bill to the hon. Member. Let him take up this Bill, and he would be most happy to give him all the co-operation in his power. He thanked the House for having allowed him so far to explain this measure. He begged of the House, in conclusion, to give ear to the entreaties put forward by all those witnesses whom he had quoted, by Catholic clergy, by Protestant, and by working men. He asked them not to listen to the plea that the Bill was inopportune. He heard of no excuse amongst weak-kneed public men other than this—"I wish you well, but you are inopportune." That reminded him of an old gentleman named Kelly, who lived in Dublin many years ago, who was professedly benevolent, although the people called him a skin-flint. He was never known to give alms, but he never refused them, always telling the beggars to come again another day. He always considered their applications inopportune, and when he heard the plea of inopportuneness opposed to this measure, he could not help being reminded of Mr. Kelly's answers to the beggarwomen —"It is inopportune; come again another day." He would ask the House to say that this measure was opportune.

They were told they were bringing this forward too soon after the Sunday Closing Bill; but, as a matter of fact, this measure was introduced into Parliament before the Sunday Closing Bill was passed. Nor did he see how Sunday closing could mitigate the evils of Saturday night drinking. There might have been some reason for deferring Sunday closing until the effect of shortening the hours on Saturday had been tried; but there was no logic in reversing the argument. He must say that, in his opinion, it was never inopportune to listen to the demands of a people wishing to be freed from temptation. This House was bound by solemn obligations to take cognizance of the official evidence crowding upon them as to the woe and havoc being caused by those dreadful hours of the liquor traffic on Saturday night. He appealed to those who on every other temperance question were against them, to ask their consciences what proposal could be brought forward that would come more near to a practical measure than the demand made to-day! Here was a practical proposition involving no novelty. It was a measure asked for by their own officials, the magistrates, and the police, as well as by those whose sacred office bound them to care for the people. As for himself, his answer to all the exclamations against him in Ireland in connection with the subject was that he had devoted years of his life to some sympathetic effort—mistaken, it might be, but, at all events, earnest—to leave his fellow-countrymen better than he found them, and he was prepared to face any penalty, or even to bear ostracism from public life, if that was to be the penalty of his action, with cheerfulness, if he could only succeed in the endeavour to make the cottier's Saturday night one of joy and happiness instead of drunkenness and misery round the domestic hearth.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sullivan.*)

Mr. M. BROOKS, in rising to move the following Amendment:—

"That, considering the recent legislation for the restriction of the hours of trade in public-houses in Ireland, it is not expedient to pass any further measures of restriction during the present Session,"

said, he thought he could add more than a thousand and one reasons why this Bill should not pass into law. He would not have ventured to address the House on this subject in the presence of so many other hon. Gentlemen who were far more competent to speak upon it than he, if it had not been for the position which he had the honour to hold as representing the City in which resided the largest number of working men, or that class of persons who would be affected by the Bill of the hon. and learned Member for Louth (Mr. Sullivan). The hon. and learned Gentleman had done him the favour to make some remarks upon the course which he felt it his duty to take in the City of Dublin, and the measures which he chose to support for improving the habits and the condition of the working men, and he had also spoken, with great truth, of the deep interest which he himself had always manifested, and of the trouble and the labour which he had undertaken to improve the condition of the working men; but the line adopted by his hon. and learned Friend had been one of a repressive and coercive character. He (Mr. M. Brooks) did not wish to be egotistical, but he would like to say for himself and his friends in Dublin, that they had adopted and followed and worked hard for the same object, but upon other lines. He was proud to say that for 25 years he had been an active and diligent manager of savings banks. He had thought that the encouragement of habits of frugality and self-reliance was more calculated to elevate and improve the condition of his Irish fellow-countrymen than any measure of this sort. He had for many years also been engaged on that public Committee which had for its object the improvement of the dwellings of the artizans, and had taken a part in the establishment and foundation of public libraries in Dublin. He had also taken a part, he could but say an humble part, with those who had devoted their lives to the public good. Well, now, the hon. and learned Gentleman was good enough to quote from a letter which some time ago he (Mr. M. Brooks) wrote to a constituent concerning the Sunday Closing Bill, and in which he said he marvelled, as indeed he did marvel, at the failure to enlist an active operation in favour of closing on Saturday night rather than of closing entirely on Sunday. He would like to explain what influenced him then. It was clear that, at the time that letter was written, the Government were about to throw a sop to the promoters of the Sunday Closing Bill. It was obvious, that at that time, a measure, limited or extensive in its character, would be passed; and, seeing that further resistance was hopeless, he did urge upon the Government, and did suggest that rather than deprive the working people of Ireland entirely of one of their holidays—namely, Sunday, it would be better to leave them that day, and to restrict for a time the hours during which public-houses should be open on Saturday night; but it was not fair, or reasonable, or logical, to say that at any time he advocated the passing of any measure for restricting the hours during which public-houses should be open. Rather than that Sunday should be taken away, he was in favour of earlier closing on Saturday; but he was not in favour of either of these measures, believing that they would lead to the illicit sale of drink, and tend to the demoralization of working people. He would pass on from that letter to the list of Petitions which the hon. and learned Member quoted. Now, it was very remarkable that all these Petitions which he paraded with so much force did not include one single Petition emanating apparently from working men. There were Petitions from two Presbyterian congregations, one from Birmingham and one from some Society which hailed from a district in County Cork, and which declared to have for its object the improvement of the condition of the people. But this latter might have been a Communist Society for aught he knew, a Society that desired the improvement of the condition of the people, not through the influence of the clergy, but by the horrible system which they knew was advocated by some men. The hon. and learned Member had said that closing these houses on Saturday evening would not produce inconvenience to the working man. He seemed to have forgotten that in Ireland, the shops where wine, beer, and spirits were sold were the shops in which the people obtained nearly the whole of their supplies of food. Working men were, with some exceptions, only paid on Saturday evening, and they were compelled to go to the shops where, as he had said, beer, whisky, and wines were sold, in order to get their groceries—their tea, their sugar, their bread, their bacon, and other necessaries, and, therefore, in the City of Dublin, he was bound to say, almost incalculable inconveniences would be caused if this measure were passed in its present form. The hon. and learned Member had also said that he thought there was no great feeling on the part of the working people of Ireland against this Bill, while, almost in the same breath, he referred to the very great disturbances which occurred, to the angry feeling that prevailed, and the hard names by which he had been called, and to the knocks of the shillelagh in consequence of the agitation in regard to this measure. Why, it was only within the last few weeks that opponents of the Bill had been brought up before the magistrates, some being fined and others sent to prison; and, therefore, it was not a fair argument to represent that there was no public feeling against the Bill. They now knew as a fact that men had incurred the risk of being sent to prison, of being mulcted in their wages, and of enduring great ignominy in their resistance to a measure which was calculated to interfere with their liberty and to coerce their behaviour. The hon. and learned Gentleman spoke, on the other hand, of a consensus of opinion on this subject, and he quoted the opinion of a number of persons; but the consensus of opinion was on the part of those members of the British Alliance Association, which had for its object the entire suppression of the liquor traffic, He did not quote anybody else. He did not tell the House, when he quoted the Recorder of the City of Dublin—of whom he could not speak too highly—all that that right hon. Gentleman had said. He (Mr. M. Brooks) had listened attentively to the evidence given by the Recorder before the Committee of the House of Commons, and he gathered from it, that the right hon. Gentleman seemed to think that a measure for closing earlier on Saturdays would be better as an alternative measure than closing on Sunday and Saturday. As the hon. and learned Gentleman had only read to the House a portion of the Recorder's answer, he would, with the permission of the House, read some other words which he used. The Recorder said—

> "Surely, it is in vain that I, or such as I, should bid the people steeped in squalor and besieged with disease, joyless, hopeless, Godless, not seek the light of the gin palace and the oblivion, however temporary and baneful, they can purchase therein."

The Recorder had advocated that which he (Mr. M. Brooks), and numbers of his friends, had humbly laboured to achieve —namely, the improvement of the condition of the working people by the establishment of public libraries and other means. He would further call the attention of hon. Members to the fact that amongst the names appended to the Petitions in favour of this Bill, those of the clergy, the magistracy, the gentry, and the nobility, who were in favour of the Sunday Closing Bill, were conspiciously absent. All those most highly regarded and most influential with the people, had refrained from signing these Petitions. The names of those who were the natural leaders of the people, in whom they confided, and who would be their leaders in every popular and religious movement, were almost entirely absent from the Petitions. Well, now, the hon. and learned Gentleman who brought in this Bill had been remarkably silent upon the reasons why the measure had been confined to Ireland. He no longer lived in Ireland. He had come to live in London. They were sorry for him, and wished he had continued to remain with them in Ireland. But he wanted to know why the hon. and learned Gentleman did not seek to extend the provisions of the Bill to the land of his adoption? Was it that the people there were more sober than they were in Ireland? Or was it that the clergy in Ireland were not as powerful or influential with working men as they were in England? He demanded to know why the hon. and learned Gentleman sought to confine this measure to Ireland alone? He (Mr. M. Brooks), as a large employer of labour in both countries, asserted, with the utmost possible confidence, that the artizans, the labourers, and the clerks of Dublin and other parts of Ireland were as sober, as virtuous, as industrious, and as religious, to say the least of it, as the people of the same class in England. Why, then, were the working men of Dublin to have thrown upon them the stigma that for them alone was this measure needed? Why were they to be held up to the whole civilized world as the only people who required to be exceptionally treated? Why was it, he again asked, that the hon. and learned Member for Louth, who hoped to have inscribed upon his tomb that he had been a patriot and a lover of his fellow-countrymen, should bring forward this measure. It was a fatal blot, that this measure, which had not been applied in any part of the world, let alone the United Kingdom, should only be made applicable to Ireland. There was one other point upon which the Bill appeared to him to be singularly deficient, and that was that it did not extend to the classes above those who used the public-house. If it were sought to extend the provisions of the Bill to the enfranchised classes—to those who used club-houses and hotels—then it would be seen that great influence would be brought to bear upon Members of the House. Such an influence would be brought to bear as would dissuade hon. Members from supporting a measure of this character. He spoke there on behalf of the working men of Ireland who had not votes, and who were, consequently, dumb, and who had not the means of influencing hon. Members in their favour. The hon. Member concluded by moving the Amendment of which he had given Notice.

Sir JOSEPH M'KENNA, in seconding the Amendment, contended that there was nothing in the Bill to recommend it to the House, and a more irrelevant and inconsequential speech than that of the hon. and learned Member for Louth (Mr. Sullivan) it had never before been his evil fortune to hear from that hon. Member. The hon. and learned Member had read, with all the gravity of a *Nisi Prius* lawyer bringing forward astounding evidence in support of his case, anonymous placards and handbills without the slightest scintilla of proof of the quarter from whence they came, and had poised and posed himself as if he knew all about them; but when interrogated, he was obliged to admit that he could not tell from whence they emanated—that there were no names—and the hon. and learned Member then made up for the deficiency, not by argument, but by a species of *Nisi Prius* tact, which could not have deceived even the hon. and learned Gentleman himself. Was there ever a more complete fallacy than his reasoning on this matter? He (Sir Joseph M'Kenna) found on the back of the Bill the names of the hon. Members for Louth (Mr. Sullivan), Queen's County (Mr. Dease), Kildare (Mr. Meldon), and Kilkenny (Mr. B. Whitworth); and he was bound to say he never saw so many good names on such a poor Bill. Now, he was quite sure—and his hon. and learned Friend the Member for Kildare would correct him if he were wrong—that not one of those hon. Gentlemen had anything to do with the drafting of the measure. It provided for the earlier closing of public-houses in Ireland upon Saturday, and for the amendment of the laws relating to the sale of intoxicating drinks in that country. The Bill had, therefore, two objects; but what were the necessities of the case to justify the House to shorten the hours of sale on Saturdays? The second object was a most considerable one. He, however, did not profess to understand it, and he questioned whether even the supporters of the Bill knew what it really was. He had looked in vain in the Preamble of the measure for some scintillation of its meaning, but had been unable to find there anything which could throw a light upon it. The Preamble said—

> "Whereas, it is expedient to amend the laws relating to the sale of intoxicating liquors in Ireland,"

and there it stopped; and a more silly Preamble it was impossible to imagine. If it went further, and stated the reasons why it was expedient to do so, there might be something which the opponents of the measure might traverse; but, without raising any issue whatever, the Bill went on to say—"Be it enacted." In fact, it was impossible to know from the Bill itself what it proposed to do; but, at all events, he knew much more about it than did those hon. Members who proposed it. It enacted that from the 10th of October all public-houses in the Metropolitan district of the City of Dublin, in the cities of Cork, Limerick, and Waterford, and the town of Belfast, should be closed at 6 o'clock on Saturday evenings, and that those in the other cities and towns of Ireland should not be allowed to remain open after 8 o'clock on the evening of that day. Now, he questioned if any hon. Member not intimately acquainted with the City of Dublin knew what was the extent of the Metropolitan district of that City, or how wide was its scope. It contained within it many places which, lying outside the City itself, were pretty much like other country places in Ireland; and why those resident in such places should have their hours of trade or of social enjoyment cut short at 6 o'clock, while those resident in Youghal and other towns at a greater distance were to be allowed to enjoy themselves until 8 o'clock, was a matter which he could not understand. The Bill then went on to say—

> "That all the penalties in previous Acts of Parliament relating to the sale of intoxicating liquors in Ireland shall apply to the provisions of this measure."

Now, he believed there was not a single Member in the House who knew or could make out from this Bill what it proposed to enact. He would ask the promoters of the Bill if they were acquainted with even the titles of the several measures they were now asking the House to extend against those whom they were about to deprive of the ordinary liberty of purchasing what they might require during certain hours on Saturday? When the Sunday Closing Act was before the House, one of the objections taken to it was that it was a Sabbatarian movement, and that it was intended for the purpose of securing a more rigid keeping holy of that day. Its supporters maintained that it had nothing whatever to do with either faith or religious decorum, but was merely intended to promote the morality and health of the public. They now, however, came to deal with Saturday, the Sabbath proper, and what was the ostensible reason why they did so? It was that the working classes received their wages upon Saturday evening, and, that being so, they should not be allowed any facilities to get drunk and to indulge in orgies. He thought the case was exaggerated. But even if they did make that use of their evenings, an Act of Parliament was not the means which should be adopted to correct the evil. It might be charged against him that he had supported the early closing of public-houses on Saturday, but he only did so by way of compromise of the Sunday Closing Bill. He had no hesitation in avowing that he had done so; but it was a compromise. He had been at all times very anxious that the facilities given to the people of indulging in intoxicating drinks should be limited as much as common justice would permit; but the House, having passed the Sunday Closing Act, which laid down a hard-and-fast line, and did not permit Sunday trade in the sale of such drinks in a large portion of Ireland, it was now highly inexpedient, before that enactment had run a quarter of its term that the temper of the people of Ireland should be tried by forcing on them a Bill like that now before the House. He now came to the 3rd clause, which provided that the Licensing (Ireland) Acts of 1872 and 1874 should be bound up with this measure, and that all three should be construed as one Act. This demanded from him still more criticism than he had bestowed on the other portions of the Bill. In the first place, there was no such Statute as a Licensing (Ireland) Act of 1872; so that, so far, the proposed incorporation was impossible. There was a Licensing Act passed in 1872; but it was a United Kingdom Act, and not an Irish Act. He called attention to this, as another instance of the haphazard, random, inconsequential, and indefensible manner in which this Bill had been drafted. What did the hon. and learned Member for Louth know about the Act of 1872, which was passed before he obtained a seat in the House, or what did the hon. and learned Member for Kildare know about it, but he would not say that his hon. and learned Friend had had anything to do with the drafting of the Bill. The Act of 1872 was not an Irish Act; but here the House was asked to re-enact it for Ireland by extending its application to Ireland alone. He ventured to say that such a misdescription ought to be fatal to the Bill. He would ask, did the hon. and learned Member for Louth know about this Act? He (Sir Joseph M'Kenna), however, had gone into the Library to refer to it, and found it was an Act of pains and penalties, giving enormous powers to the tribunals which had to deal with licensing all over the United Kingdom, and here it was bundled in with the Act of 1874, which was an Act limited to Ireland. He did not, in this, mean to attribute to the hon. and learned Member for Louth anything that was unworthy; for, in the first place, that hon. and learned Gentleman, not having had anything to do with the drafting of the measure, knew nothing whatever about it, and, secondly, he was too honourable to attempt to deceive the House. The fact was, no doubt, that the hon. and learned Gentleman got it ready briefed for him from some Temperance Society, and he acted upon his brief. He had told the House of certain amenities to which he had been treated, and how he had been threatened with a bullet through his head for his support of this measure; but the Irish Party would be the greatest loser by that; for he might say of the hon. and learned Gentleman that he touched nothing which he did not adorn, except when he discoursed about intoxicating drinks, and then he went as far astray as if he himself indulged in them —which the House knew he did not. His (Sir Joseph M'Kenna's) object was to have a decision taken upon this Bill, and, therefore, he should not talk much longer on the subject; but, before he sat down, he did wish to refer to the Act of 1874. Clause 4 of the present Bill was, perhaps, the most liberal one of the measure; but, unfortunately, it was altogether inexplicable. It raised again the question of the *bonâ fide* traveller, but failed to define for them who in reality was a *bonâ fide* traveller. He knew that many people arrived in Dublin by train after 6 o'clock on Saturday evenings, and he should like to know how the publican was to determine who were those whom he should, and who were those whom he should not, serve? In fact, the Bill made it necessary that the publican should, for his own protection, refuse to serve either, and thus the clause, however liberal it seemed, was a delusion. If it was the intention of the Bill that the *bonâ fide* traveller should be accommodated, then it should be put fairly in the measure, and the determination of it not left to a side-wind. It was unfair, that if a publican served a man believing him to be a *bonâ fide* traveller, that he should for doing so be visited with pains and penalties; but what was to take place with respect to the *bonâ fide* traveller himself? Was he not to have a hostelry to receive him, but be compelled to go about from public-house to public-house seeking in vain for shelter? If the Bill was to be properly characterized, it should be described as a Bill for rendering confusion still more confounded. Again, it was proposed that the Bill, should it pass—which he believed it would not—was to come into force on the 10th of October, 1879; but certain licences were to be exempted from its operation. Here was another instance of provision within provision, and consequent confusion. The Bill was to come into force upon a certain day, and it was not to come into force; and how those two proposals were to be reconciled he could not understand. Was that a proper Bill to bring down to the House? Why, it would not only make the whole law of licensing unpalatable to the Irish people, but would render it difficult for anyone, either the publican or the magistrate, to tell who the *bonâ fide* traveller on the Saturday was. After all, there was a broad distinction between the Sunday *bonâ fide* traveller and the Saturday *bonâ fide* traveller. The former was generally out upon a day's pleasure, and was easily recognized by his free, jaunty air, but it was not so with the Saturday *bonâ fide* traveller, who was out on business. He should like to know how a Dublin publican was to distinguish between a number of navvies who might come into the city on Saturday evening upon leaving off work at Kilmainham or at Lucan, and a number of labourers from the sewers of the next street? Was there ever, he would ask, anything more likely to sow the seeds of distrust of their Representatives in the minds of the people? If the Bill were to pass into law, they would have in Ireland constant scenes of riot; and the people would feel indignant that conditions were imposed upon them from which those who imposed them were themselves exempt. They had put up with the Sunday Closing Bill; and he, for his own part, was glad that they had done so, although he was bound to confess that he would have preferred a restricted open time on Sundays, with a few hours cut off the open time upon Saturday evenings. If that compromise had been agreed to, he would go with the Temperance Societies, which were, he had no doubt, actuated by pure and philanthropic motives; but they, like all other similar Associations, from being disciples became partizans, and had an organized staff of orators and lecturers going through the country to enlist new allies. This was all fair, but it had a tendency to make men partizans. Speaking for himself, he would say that he had the cause of temperance as much at heart as any of those gentlemen whom he had already named; but he had a great unwillingness to interfere with the natural liberty of the people by refusing them a discretion in a matter which so nearly concerned themselves. He should like to see the people of Ireland as sober as were those of France and Italy. They were to be made such, not by Act of Parliament, but by providing them with amusement and recreation. Why should they not show the Irish people how they could pleasantly occupy their spare time on Saturdays? If they were to use their best efforts to establish respectable coffee-houses; if they would provide the people with the humblest shelter, where they could have even a cup of water; if they—the advocates of temperance—would give the people an opportunity to make up for the sad difference in their position, and show them how to make life pleasant by social enjoyment; why, then, he should willingly go forward, and act with them. He admitted that the Sunday Closing Act had done some good, but he believed the amount of harm which it had done in another direction more than neutralized that good. In fine, it was unfair and inconsiderate upon the part of those who could drink at their clubs to deal in this way with the millions who were affected by the Bill.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the recent legislation for the restriction of the hours of trade in public houses in Ireland, it is not expedient to pass any further measures of restriction during the present Session,"—(*Mr. Maurice Brooks,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MELDON, in supporting the Bill, said, the question was not one of detail, but was this—Did any necessity exist in Ireland that the hours for the sale of intoxicating liquors should be shortened? Before going into the question, he would refer to an incident which took place at the commencement of Public Business. A Petition was then presented purporting to come from a meeting of some 20,000 working men, held in Dublin. The authenticity of the Petition was challenged, on the ground that the Petition, which was supposed to have been adopted at the meeting, referred to facts that occurred at another meeting at Cork either contemporaneously or subsequently to it. It was then said that there was no reference in the Petition to the meeting at Cork; but he understood that that statement was made in error, for he found in the concluding paragraph of the Petition the statement that the petitioners had to regret the occurrence at Cork "on Sunday" of a serious riot. Now, the meeting at Dublin could have no knowledge of the occurrence at Cork, and the introduction of the words "on Sunday," instead of "this day," was to him very conclusive that the Petition was concocted and signed subsequently to the meeting. He also thought that the words on the Petition that the countenance given by the House to such Bills was productive of internecine strife, and calculated to lead to serious breaches of law and order, was indecorous to the House, seeing that the promoters of the Bill held that there was necessity for the shortening of the hours for the sale of intoxicating liquors, and that the opponents of the Bill held that there was no such necessity. He should have been quite prepared to discuss the Amendment of the hon. Member for Dundalk (Mr. Callan), to the effect that the principle of the Bill was a vicious one, and that the Bill ought not to have a second reading. But another Amendment had been moved, and by that he contended that the opponents of the Bill admitted its principle. There was, then, a consensus of opinion as to the necessity for shortening the hours of sale. The question, then, really before the House was not one between the House and the body of the people of Ireland, but it was one merely between the House and the body of licensed victuallers. ["No, no!"] Well, he should prove that that was the only question. The licensed victuallers were monopolists by virtue of legislation; they were a class of persons to whom great advantages were given over other trades and other persons. The House had always limited the hours during which they might carry on their trade, and there was no disputing the right of the House at its discretion to fix those hours. The House was now asked to re-consider a determination come to in 1874, so far as two or three hours on Saturday night were concerned. The only objection that could be made to this was that it brought up a small point at a time when there was no general Licensing Bills before the House. With regard to the business of licensed victuallers, no one could shut his eyes to the fact that in Ireland there were members of the trade, than whom there could be no higher. No doubt, there were some black sheep amongst the licensed victuallers; but their business was a respectable one, and their munificence in charitable and pious benefactions was indisputable. Having said so much, he must express his regret that the licensed victuallers were opposing this Bill. It was admitted by everyone, that the gains of the publicans for three or four hours on Saturday night were gains taken away from the wives and families of the miserable men who could not resist the temptation of the public-house; and he thought it would have been a generous thing for the publicans to come forward and say that they were willing to have those gains reduced. Had they said that, their country would have thanked them. His hon. Friend the Member for the City of Dublin (Mr. M. Brooks) thoroughly understood the case of the licensed victuallers, and, during the discussion on the Sunday Closing Bill, not a point escaped him. But a more lame opposition to a Bill was ever heard than that offered by his hon. Friend. Not that his hon. Friend was less able than usual, but that the facts he had to go on were so weak. His hon. Friend had referred to his own letter, and said that, as a matter of compromise, when the Sunday Closing Bill was passing through the House, he was willing to admit that Saturday night was preferable to Sunday for closing. But that did not seem to him (Mr. Meldon) the construction of the letter. The letter said—

> "I cannot understand those who take so much interest in the Sunday Closing Bill, and who so persistently refuse to join in my efforts to restrict the hours of sale on Saturday."

He called that strong evidence in support of the present measure.

Mr. M. BROOKS: It is very inconvenient to read a part of a letter. My words have been printed over and over again. I said I would rather have a restriction on Saturday evenings than close the whole of Sunday.

MR. MELDON thought that the words were hardly open to the construction that they were a compromise. Now, what had happened to make it less necessary now to close public-houses on Saturday night than it was in 1877? He could see no distinction between now and then. The working men who were opposed to the passing of the Sunday Closing Bill were not then aware that they would be called upon to oppose a Saturday Closing Bill, and what did they say? A deputation of working men of the trades of Dublin waited on the hon. Member for Drogheda (Dr. O'Leary), asking him to oppose the Sunday Closing Bill, and when asked what they thought of closing public-houses on Saturday night, they replied that they thought that if public-houses were closed at 7 o'clock on Saturday night, it would be a great advantage. It had been thrown in the teeth of the promoters of this Bill that they had been accusing their countrymen of drunkenness, and so forth. He was sorry to say that he must do so, and say that drunkenness in Ireland led to nine-tenths of the crime committed there. He was backed up in that by the representations of the Judges, magistrates, and clergy from one end of the country to the other, and he was not afraid to say in that House that drunkenness was the crime of Ireland, and that if drunkenness was done away with, all other crime would be swept away. The most rev. Dr. M'Cabe, Roman Catholic Archbishop of Dublin, when examined by the Committee, said he was opposed to Sunday closing, and expressed his opinion that the great evil to be met was Saturday night drinking, and that was his opinion now; yet they were told in the House that the leaders of the people were absent from this movement. He indignantly denied the charge, and said that the Roman Catholic clergy of Ireland differed on the Sunday Closing Bill; they were unanimous on the Saturday Closing Bill; and as to drunkenness existing on Saturday night, Dr. M'Cabe, in his first pastoral, said—"The wasting plague of intemperance is hurrying thousands of our people annually into premature graves," and he called on all to save the individual members of the community, if they could. He did not quote that as having anything to do with Saturday night closing, but in answer to the taunts that had been used. The hon. Member for Dublin (Mr. M. Brooks) had referred to riots, and to persons having been sent to gaol in consequence of the part they had taken in the disturbances; but the hon. Member's friends, the publicans, would have thanked him for omitting that portion of his speech, for the persons who were sent to gaol for committing riots were publicans themselves, or persons connected with the trade, who had been guilty of violent and riotous conduct in trying to upset meetings held in favour of this measure. The backbone of the opposition was the great meeting of 20,000 persons held in Phœnix Park, in opposition to this Bill. From beginning to end that was a publicans' meeting, and the only grounds put forward of resisting the Bill was that it would interfere with the publicans' business. The meeting was called, he believed, by requisition. The chairman was Mr. O'Connor, president of the Victuallers' Association, and a number of trade delegates took part in the meeting. He was referring to the report in *The Freeman's Journal.* Mr. O'Connor charged Mr. A. M. Sullivan, Mr. Meldon, and Mr. O'Connor Power with not advancing Home Rule in the way in which they were at present treating people. Mr. O'Connor spoke of the assistance given by the publicans to Mr. O'Connell in his struggle for Emancipation, and said they were the men who supplied the sinews of war, and that the Home Rule Representatives could not carry Home Rule so long as they tried to confiscate the property of the vintners. That was the whole question. They were told to look to the publicans as the men who could supply the sinews of war, and exercise influence, and that the vintners were the men who carried elections, both Poor Law and others. That was the great point made in this great workmen's meeting. One would have thought that the chairman would have told the working men that they protested against their rights as being interfered with. The first speaker at the meeting went on in the same way. The burden of all the speeches at that meeting was not that any inconvenience would result to the working man. The question was as to how it would affect the publicans; and he appealed to anyone, whether the Petition presented from that meeting was not more the Petition of publicans than of working men? He would also wish to call attention to the evidence of a number of witnesses who were called before the Committee which sat last year, and the main points in all their statements was that they believed that the evils which at present existed would be met by earlier closing on Saturday. Therefore, he contended, that as the majority of the witnesses were taken from the ranks of the opponents to the Bill then under discussion, they had proved the necessity of some such measure as the present out of their own mouths. He wished to call the attention of the House to the fact, that the number of drunken cases in Dublin on Saturday night was so great, that orders had been given to the police to abstain from making arrests, except where it was absolutely necessary, and this was on account of the want of accommodation. They had demonstrated that a large portion of the wages of the working classes went into the tills of the publicans within a few hours from the time they received them. They spent their money in drink instead of purchasing the necessaries of life for their wives and families; and he appealed to the patriotism of the publicans themselves to give assistance in the removal of temptations from the path of those who had money in their pockets, and who were liable to spend it in drink. The whole question was one between the trade and this House. The opponents of the Bill admitted it principle; he, therefore, strongly urged on the House to pass the second reading of the Bill, and any matters of detail could be easily agreed to afterwards. The supporters of the measure were quite willing to meet their opponents, and make any concessions which would render it a just and reasonable Act. All that they asked was that the temptation to drink should be removed from the paths of those who, when they had money in their pockets, could not resist the temptation to spend it.

Colonel KING-HARMAN said, that, as an Irish Member interested in the welfare of the Irish people, and most anxious to promote the cause of Temperance amongst them, he was really sorry that this Bill had been brought before the House at this present moment. It was altogether inopportune. When the Sunday Closing measure was introduced last year, he stated that he agreed with a great deal in the Bill, and that if it were proposed as a temporory measure he would not oppose it, but, on the contrary, go with the proposers of it. The argument that was used against him was, that if the Sunday Closing Bill were passed as a temporary measure, there would be an immediate agitation got up in favour of its repeal. The Sunday Closing Bill had been passed as a temporary measure; and he allowed —a fact he was glad to allow—that it had done an infinity of good for Ireland. In every part of the country with which he was acquainted, he had heard that its benefits had been incalculable, and he had not seen an agitation raised for its repeal. The only agitation got up since the passing of that Bill was an attempt to close public-houses on Saturday nights. He knew there was a great deal to be said in favour of the early closing of public-houses on Saturday; but at the present moment there was a great feeling of irritation on the subject, notably amongst the publicans. That was natural, for they were a body of men who had great vested interests and a large amount of capital employed in their trade, and to pass a new Bill suddenly to further reduce their hours would be to strike a blow—a fatal blow—to a great number of honest and respectable men. Publicans were not all necessarily sinners; and it was on their behalf that he would plead for delay. Do let them rest a little. There was another point with regard to the Sunday Closing Act. The publicans in many parts of Ireland held only six-days licences, and now this Bill proposed to take away the best part of one of those six days. It was not to be wondered at that meetings to protest against the Bill were being held all over the country, and a spirit of acrimony introduced which was absent in the agitation against the Sunday Act. As a friend of this Bill, he was sorry it had been brought forward this year, and he was certain the movement would be retarded two or three years by this precipitate action. Then, the people who gave evidence before the Committee, and whose opinions had been quoted by hon. Members, did not propose to close the houses at 6 o'clock, but 8 o'clock. This Bill, if passed, would irritate a large section of the Irish people. For instance, many young men who lived in lodging-houses in the large towns went to theatres on Saturday evenings, and if the public-houses were closed early they would be unable to get reasonable refreshments, or they would be driven to shebeen houses, which would be a great evil. He was afraid such a measure, if put into force at the present time, would lead to serious disturbances. With regard to the allusion of the hon. and learned Member for Louth (Mr. Sullivan) to the sale of drink in shops where food and necessary articles were obtained, that was a question which he should like to see the hon. and learned Member grapple, as it was a serious one. He thought drink should not be allowed to be sold in those shops, as in that way temptation to drink was frequently put in the way of men, women, and even children. He did not wish to throw obstruction in the way of legislation that would promote sobriety; but he did ask the hon. and learned Member for Louth to exercise a little judgment and discretion, and not press this movement too far, to the detriment and injury of honest and deserving publicans.

THE O'CONOR DON said, he wished to call attention to what was rather a remarkable circumstance, and which was, he thought, connected with the Bill—namely, the total absence of every hon. Member on the Government Benches. A discussion on an important Bill had been going on for some three or four hours, and during the whole course of that time there had been no Member of the Government present connected by official ties with Ireland. He did not intend to occupy much time, as he hoped the House would be allowed to go to a Division on the question; but the hon. Member for Sligo (Mr. King-Harman) had spoken as if the public were made for the publicans and not the publicans for the public. His argument came to this, that because a particular trade might be interfered with by the proposals which would benefit the public, that, therefore, nothing ought to be done. He would ask what was the origin of having licensed traders at all? Why were publicans licensed, if not in order to promote temperance? Were not licences granted to sell drink in order to promote temperance and to prevent intemperance, and, in consequence of that, the body of traders called publicans had arisen? Therefore, he contended that if it could be shown that by the adoption of certain hours temperance would be promoted, no class had a right to say, "These hours could not be altered to suit the public necessity, because it will interfere with us." That was the whole of the argument of the hon. Member for Sligo. He did not deny that great evils arose from late drinking on Saturday night; and, though he (The O'Conor Don) did not go so far as to say that public-houses should be shut at 6 o'clock, he thought some reduction of hours would do good. Was that good not to be attained because a certain trade might possibly be interfered with? The Sunday Closing Act could have no possible effect on Saturday night drinking, and the opponents of that measure last year freely admitted the evils of Saturday drinking. If hon. Gentlemen asked him why the Bill now before the House was promoted, he would tell them that they themselves were greatly to blame for it. During the whole of the discussion on the Sunday Closing Bill last year, the opponents of that measure were constantly talking of the evils of Saturday night drinking, and suggesting that attention should be turned to that instead of the reduction of the hours of drinking on Sunday. If they wished to diminish the drunkenness of the country, and if that lesson had been learned, how could they consistently complain? They could not even say that, having a Sunday Closing Act, there was no necessity for an Act to reduce the hours on Saturday. He contended that the agitation talked of was originated by the opponents of the Sunday Closing Bill, and the knowledge of the subject was mainly attained from the witnesses of the Committee on the Sunday Closing Bill. He wished to point out, specially, that the passing of the Bill affecting the sale of liquors on Sunday did not at all affect the sale on Saturday. The evils of the sale of drink on Saturday existed now just as much as they did before the passing of the Act of last year, and he thought it was the duty of Her Majesty's

Government to endeavour to remove them, while the interests of a particular trade ought not to be allowed to stand in the way of that which was for the benefit of the public generally, especially when the trade was created for the public benefit only. When debates took place on the subject last year on the Sunday Closing Bill many prophecies were made of the evils which would result from that Act. He was much struck with the fact that, in the speeches made against the present Bill, they had heard nothing of the fulfilment of those prophecies of evil. Not one word had been uttered about the evil effects which had arisen from the Sunday Act, and the only reference which was made to the Act was in the speech of the hon. Member for Sligo, who admitted that from every part of the country he heard nothing but praises of the Act and declarations of its success. That was a very remarkable fact, and ought to encourage them to pass other measures in the same direction; while as to the prophecy of illicit drinking, etc., he did not think, after the results of the Sunday Closing Act, they would receive much attention. He would only say a word more as to the distinction which existed between the large and the small towns. It was suggested that in the small towns the sale of drink should be permitted to a later hour; but he thought it would be much better, if possible, to have the sale of intoxicating liquors and the sale of other commodities kept entirely separate. He could hardly support the proposition to close the public-houses at so early an hour as 6 o'clock. He had himself heard persons going home at 11 or 12 o'clock on Saturday nights, screaming drunk, men who, if the public-houses had been closed at an earlier hour, would have returned to their homes, but who were unable to resist the temptation of the public-houses. If they removed that temptation, the class of men to whom he referred would not spend their week's maintenance in the manner in which they did. He was much in favour of closing public-houses two hours earlier than at present, but further than that he did not think it advisable at present to go. In conclusion, he wished to say that he did not regard this at all as a Bill which should be looked at from a trade aspect. He declared, on his part, that he had no hostility to the trade, and he should not bring in a Bill simply for the purpose of interfering with its operations; but he held that the objects of this Bill, like the objects of the Bill of last year, were to promote temperance; and, while he should be sorry to interfere with the operations of legitimate traders, yet if it so happened that the public good required that their operations should be interfered with, he could not prevent it. He was sorry that it should be so, but he had no doubt that the exertions and capital now employed in the trade might be profitably employed in another way. Regretting that the Bill should interfere with them, but believing that the public good must be the first object, and believing that the public good would be promoted by the Bill, he should certainly support the Motion for the second reading if it was carried to a Division.

Mr. O'SULLIVAN, in rising to oppose the Bill of his hon. and learned Friend the Member for Louth, said, he did so, because he believed it to be one of the most unreasonable propositions ever brought before the House. What was it the House was asked to do by this Bill? They were called on to close the houses where the working classes resorted, not at 9 or 10 o'clock on Saturday evenings, but at 6 o'clock in the evening, or about an hour before many of them returned from their work. He would ask the House to consider for a moment the position in which this would place the poor class in Ireland, if passed into law. His hon. and learned Friend might say he did not require the business places in the country to be closed until 8 o'clock — that the 6 o'clock hour should be only applied to five large cities and towns. Well, he would take the country districts as the most favoured portion of the country regarding this Bill. Just see what the position of the working man and his family would be, even in those favoured districts. To his certain knowledge, many of these poor people did not leave their work on Saturday evenings until 7 o'clock. Then they had to go to the office for their wages; after that, many of them had to walk a mile or more to their homes; then by the time they had partaken of their scanty supper, which on many occasions had to be prepared, and sometimes purchased, after they returned home, it would be more than 8 o'clock. Thus, when they left their homes to buy provisions for Sunday and Monday morning, the houses where they could provide those necessaries were all closed, as the public-houses in Ireland sold tea and sugar, butter, eggs, and bacon—in fact, everything to accommodate the working classes; as the majority of public-houses in Ireland could not support themselves if they did not combine other businesses with the sale of drink. Then, again, he would ask this House to recollect that this Bill, like its twin sister, the Sunday Closing Bill, was class legislation of the very worst kind, for it only affected the poor and struggling class of society. He would wish to remind the House that it was only a very short time since an attempt was made to extend the franchise to some of the people which this Bill affected, and which extension was rejected by a majority of the House. While they refused a certain class of householders in England, Ireland, and Scotland, any right to a voice in electing Members of Parliament, at the very same time they were curtailing the rights and liberties of those same people by such Bills as the one before the House. Then, see what the effect of shortening of the hours in Dublin and the other large cities and towns in Ireland had been since the passing of the Sunday Closing Act. The death-rate in those cities and towns had increased enormously, and that increase could not be traced to any other cause but early closing on Sundays, as the working classes, when turned out of the respectable public-houses when they wanted more drink, resorted to the shebeen houses, where they got a composition of drink that poisoned them. The hon. and learned Member for Louth had referred to the meetings held in Dublin, and he would also refer to them for a different purpose. The hon. and learned Member had said that it was of the publicans he had spoken at the meeting in the Phœnix Park; but the hon. Member for Kilkenny, and the other opponents of the meeting, had admitted that 10,000 persons were present at the meeting; and as there was not more than 700 publicans in Dublin, how could it be said that they were all the men of a meeting composed of 10,000 persons? He maintained that the meeting was got up by working men, and was attended by working men; and he challenged his hon. and learned Friend to show that a single member of the trade had canvassed either for signatures to the movement from that meeting or for attendance at it. No doubt, the trade had canvassed; but it was for a meeting of the trade which was held at 3 o'clock on that afternoon, and which the working classes did not attend. At the meeting in the Phœnix Park, the first resolution was moved and seconded by working men. It declared their determination to resist by every means further interference with their social habits and customs until they were in possession of the franchise. That resolution was proposed by a cooper. [*Laughter.*] They might laugh at coopers, but coopers were the principle trade in the country, because they made the firkins that brought over the butter. The second resolution declared that the working classes regarded coercive legislation of the kind as a positive degradation, inasmuch as it was based on the slanderous assumption that they were so fond of drink that they could not regulate their own habits and conduct. These resolutions were proposed and seconded by working men to whom the House had denied the liberty that was granted to other classes. He could enter into other arguments to show that this was a piece of class legislation, but he would not do so, because he did not wish to talk the Bill out. He should prefer to have a Division which would show that the tone of the House, as well as of Ireland, was against the measure, and those who wanted to deprive the working classes of Ireland of the little liberty they enjoyed would see that they could not pass whatever measure they liked.

Dr. O'LEARY said, he had listened with interest, but not with pleasure, to the speech of the hon. and learned Gentleman who introduced this Bill. The hon. and learned Member for Louth first alluded to the public meeting that had taken place, and had said a good deal in answer to attacks made on himself, but he did not say much about the principle of the Bill. The hon. Member for Roscommon (The O'Conor Don) had observed that this had been treated too much as a retail spirit question, and that too little had been said about those whom it would affect. This reminded him of a recent case in which, while a question arose and was argued at great length about the admission of some medical evidence, the poor plaintiff was left standing in the box. At last the Judge suggested that something should be said about the poor plaintiff. Well, he thought that something should now be said about the poor plaintiff—that was, the people who would be affected by this Bill. This Bill was a Saturday Night Closing Bill, but the facts on which it was supported were facts collected in reference to a Sunday Closing Bill. Its introduction was a violation of the tacit understanding arrived at last Session, that if the Sunday Closing Bill was allowed to pass there should for a time be no further attempt to legislate with respect to the liquor traffic. The Bill was inopportune. The hon. Member for Roscommon had told them that they had not heard a single word about the fulfilment of the prophecies of evil from the operation of the Sunday Closing Bill which they heard when the Bill was under discussion last year. But he denied that the operation of the Act had been satisfactory. He could give a few practical illustrations of the way that Act had affected the rural population of Ireland. Just outside Drogheda, about three miles two perches distant, was a small village called Ballyhaire, with one public-house. Before the Sunday Closing Act was passed the proprietor of that house did a very small business on Sundays, but now he had a very extensive trade. In Drogheda itself there were on the average one or two cases of drunkenness on Sundays out of a population of from 16,000 to 18,000 persons. These sober people, principally artizans, now flocked by hundreds to Ballyhaire, and the young men made Sunday a regular gala day, driving from Drogheda in cars and besieging the little public-house at the adjacent village, where they demanded drink as *bonâ fide* travellers. It was a fact, that now every Sunday evening cars in great numbers were to be seen returning to Drogheda full of drunken people, some of them so blind drunk that they had to be tied to the cars to prevent them falling off. The publican sold a great amount of liquor, and had already doubled his prices. Then there was the small fishing village of Mornington, just opposite Ballyhaire, which, before the passing of the Sunday Act, was a nice quiet place. Their public-house was closed up, and so the people crossed over the river Boyne in boats to get drunk in Ballyhaire. They did this as much as anything to show their sense of the injustice of the Act. He could give another instance of the working of the Act. A merchant in Dublin, whose family was out of town, met a friend from the country on Sunday and asked him to dine with him. The friend agreed, and then the merchant remembered that his family were away, and proposed to dine at Morrison's Hotel at 7 o'clock. The friend said that would suit him better. Seven o'clock came, and these two gentlemen proceeded to dine in a private room at the hotel. Dinner was announced, and they asked for wine. The waiter informed them that in consequence of the Sunday Closing Act they could have no wine with their dinner. They were dining—that was eating—at a legitimate hour, and they were doing a legitimate thing, but they were told they could not have a glass of wine because the law said they were very likely to get drunk. The gentlemen, who had supported the Act, were furious, and could not believe it contained such a provision. There had been a considerable change in public opinion since the Sunday Act was passed. He need not refer to the hon. Member for Newry (Mr. W. Whitworth) who supported the Sunday Bill, and was never absent from his place whenever it came before the House; but that hon. Member did not support the present Bill. On the contrary, that hon. Member declared it to be ill-timed and inopportune and a dangerous Bill. Indeed, he (Dr. O'Leary) believed he said it was a mischievous measure, and calculated to destroy the balance of trade. That looked as if the hon. Member was deserting the sinking ship. As to the public meetings held against the Bill, a number of men waited upon him, saying that they represented 25,000 to 30,000 artizans, and asked him to preside at a public meeting. He told them two meetings had already been held, but they replied that those two meetings consisted of the upper classes, and they wished to express their own opinions, as the Bill especially affected them. He then consented to take the chair, and the Rotundo was crowded with working men. He never saw a more orderly meeting, and the whole thing was arranged by the men themselves. In opening that meeting, he inquired if he understood rightly that they were artizans who wished to protest against the Bill, and they gave their answer in one loud and continuous cheer. There were 20,000 men at that meeting, and they sent their protest to Parliament against this Bill. He did not like to hear hon. Members assert there was something about Irishmen, some such want of mental power on the part of his countrymen on the other side of the water, or such want of temperance that it was necessary to legislate for them in a different manner than they did in regard to England. The charge was as unfair and ungenerous as it was unfounded. He had heard about the cracks of a shillelagh reaching that House; but he was not certain that shillelaghs were now used at all, but was perfectly well aware that the term shillelagh was used to the discredit of the Irish people. He condemned the use of it, and repudiated the application. He was quite sure that a great deal of the testimony adduced in favour of the Bill would never have been given after the passing of the Sunday Closing Bill. When that Bill was under discussion, he was certainly of opinion that it was wrong in principle, and that if such an experiment was to be tried it should be to close earlier on Saturday night rather than on Sunday. But the passing of the Sunday Bill had altered all that. Besides, while the Bill proposed to close at 6 o'clock, there existed the most varied views on the part of its supporters in regard to what hour it should be. Some said 9, some 10, and some half-past 10. He was sorry that the hon. and learned Member for Kildare should advocate the Bill on the ground that the Irish people were pre-eminently a drunken people.

Mr. MELDON: If the hon. Member is quoting my words, he is wrong. What I stated was that drunkenness was the crime of the Irish, and that when drunkenness was removed nine-tenths of the crime of Ireland would be removed with it.

Dr. O'LEARY said, he gladly accepted the hon. Member's repudiation of that expression, because it was an excellent argument in favour of the view he himself held.

Mr. MELDON denied that he made use of any such expression.

Mr. SPEAKER reminded the hon. Member for Drogheda that it was usual to accept the statement of an hon. Member when he declared that he had not used the language which was imputed to him.

Dr. O'LEARY replied, that the first words he said were, he was glad the hon. and learned Member repudiated the expression, and immediately the hon. and learned Member took exception to the remark. He might add, in conclusion, that he had good reason for knowing that the measure was thoroughly unacceptable to the people of Ireland, and he considered the renewed agitation of that question at the present time was inexpedient and ill-advised. He thought it would do a great amount of injury, and that the sooner a plaister was applied to it the better.

Mr. Serjeant SHERLOCK said, if the question that was being discussed was one between Saturday night and Sunday, he might be in favour of Saturday; but they found that the promoters of the present Bill were those who supported the Sunday Closing Bill. They remembered the long debates on that measure, and he believed he was right in saying that there was an understanding that the measure should be fairly tried, and that, in the meantime, there should be a rest from agitation in order to observe its effects. The hon. Member for Dublin (Mr. M. Brooks) did not ask the House to reject the Bill altogether, but only that the House should pause before entering upon legislation based upon evidence all of which was in their possession last year when the Sunday Closing Bill was passed. As he said before, he should certainly have adopted Saturday instead of Sunday as a day upon which it was necessary to limit the sale of liquor; but Sunday had been adopted as an experiment, and it was quite unusual that, without a single new fact before them, they should be asked to legislate. He was far from saying that the interest of the publican should be considered before the general interest of the country; but he thought it was very difficult to discover what was the general opinion of the country on this question. If the hon. Member for Sligo (Mr. King-Harman) was right, there had been a great diminution of Sunday drinking since the passing of the Bill, and many drunkards had been reclaimed.

Let them fairly test the measure before embarking in further legislation, which must lead to a considerable expression of feeling. He did not profess to have examined the question himself with any great minuteness. He had certainly read the speeches of public men on both sides, and he must say that he did not derive much information from either one side or the other. On one side they appeared to be chiefly composed of attacks on the hon. and learned Member for Louth (Mr. Sullivan), and on the other side there appeared to be a strong tendency to attack the hon. Member for Dundalk (Mr. Callan). Now, neither of these matters had anything to do with the measure whatever. It appeared to him that the House had been asked to choose between this measure and another, and it was scarcely right now to renew the struggle. There was certainly no breach of faith in renewing it, because there was no compact; but the Bill was passed for four years, and he thought there was an understanding to allow it a fair trial in a period of calm. With regard to the Bill itself, he would point out that whilst Dublin, Cork, Belfast, and the principal towns were exempt from the Sunday Closing Bill, if this measure passed they would be more severely dealt with, with reference to Saturday closing, than the rural districts. Further than that, he had noticed that the promoters of this measure were not agreed either in regard to its partial application or the degree to which the hours should be limited. The hon. Member for Roscommon (the O'Conor Don) did not agree with the hon. and learned Member for Louth. It was a fair argument to say that what influenced the hon. Member for Roscommon to disagree with the hon. and learned Member for Louth might influence the House to say it would not pass a measure in regard to which there was such a difference of opinion. From what the hon. Member for Drogheda (Dr. O'Leary) had said, it would appear that the working of the Sunday Closing Act was not so satisfactory as its friends asserted; but all this only showed the necessity of taking time in order to see clearly how it really worked before they attempted any further experiment, and, therefore, he should certainly support the Amendment of the hon. Member for Dublin.

MR. B. WHITWORTH knew a great deal more than the hon. Member for Drogheda (Dr. O'Leary) did of the young men of Drogheda, and he believed they would not be flattered at the description which the hon. Gentleman had given of them. He said that 100 cars had been seen coming back from Baltray to Drogheda, laden with young men, some of them tied to the car. He believed that the statement had been exaggerated at least tenfold, and that those who informed the hon. Member had been playing a practical joke upon him. His desire was that this Bill should be passed in the interest of the people at large. He could safely say, from his knowledge of Ireland, that there was no real opposition from anybody there, except from those who were interested in the liquor traffic—namely, the publicans. His great desire was that Ireland should be a manufacturing country, and he believed nothing would tend so much to bring about that desirable object as to make them sober people. He was convinced that the passing of the Sunday Closing Bill had done much to bring that object about. If they could only accomplish the objects they had in view in promoting this Bill, a great deal of good would be done. The testimony of Judges, and other eminent authorities, was very clearly in support of a further restriction in the hours during which drink could be obtained. He doubted whether anyone could name a place where bad results had followed from the restrictions already imposed; and he expressed the opinion that if Ireland was polled tomorrow, three-fourths or four-fifths of the people would support the Bill now before the House. ["No, no!"] He would personally go considerably further than the hon. and learned Member for Louth; but he admitted that public opinion was not ripe for his proposals. In regard to Sunday closing, Ireland was perfectly unanimous; and he believed the reason why this Bill should be confined to Ireland was that in that country they were far more enlightened upon the question than they were in England, and he had no doubt that Ireland would be the pioneer of temperance, and that the legislation thus applied to Ireland would soon be followed in England.

MR. CALLAN said, he could neither support the Bill before the House nor the Amendment which had been moved. He believed the best way to prevent acrimony in Ireland upon this question was to meet the second reading boldly and at once with a direct negative. The promoters of the Bill, in professing to be willing to accept changes in the hours fixed for closing, claimed that they were offering a compromise. But when compromises were offered during the debates on the Sunday Closing Bill, no concessions would be made by the promoters of that Bill. Now, however, when they found the people and the country so determinedly opposed to them, they were willing to come forward and offer concessions and compromises. They should not try any more shave-beggar legislation on Ireland. He asked why the Bill should only apply to Ireland? Why should they not legislate for England, because she required it? According to the evidence of Mr. Russell, at a meeting at Dublin, the consumption of drink was still going on in England, and drunkenness had not diminished. If that were so, why should they limit such a Bill as this to Ireland? He objected to the evidence which had been given by Mr. Woodlock, who said that, according to the Dublin police, there was a great amount of drunkenness in Dublin. He could only say that Mr. Woodlock did not get his information from any of the police authorities; and he only hoped that that gentleman, for the sake of his own character, would state his authority. Mr. Woodlock's statement reminded him of the story told by Archdeacon Tierney of one of his curates, who said that the little boys in Drogheda who could neither talk nor speak went about the streets cursing and swearing. The only reliable evidence given by Mr. Woodlock was when he admitted that he could not speak for the artizan classes, as he did not know what their feelings were on the subject. The Lords' Committee had examined two M.P.s, two J.P.s, the Divisional Magistrate, the Resident Magistrate, the sub-Inspector, the Commissioner of Police, two Agents of the Alliance Party, and one official of the Vintners, and a nondescript kind of professional man, an attorney and Crown Solicitor, who was a barrister. He must also complain of the intemperance of the language used, especially by ministers of religion; for instance, the Rev. Mr. Berkeley, Presbyterian Minister, of Belfast, compared the Sunday Closing Bill in regard to the Saturday Early Closing Bill to John the Baptist in the Gospel, who was the forerunner of Christ himself. He certainly thought that the personal attacks complained of had not been confined to the hon. and learned Member for Louth. He (Mr. Callan) had been charged with having his hand in the Treasury pocket. He was sorry to say his pocket was a very empty one at present. The hon. and learned Member for Louth had presented quite a number of Petitions in favour of the Bill from Presbyterian bodies and others in the North of Ireland, and had quoted largely the opinions of officials; but he had not presented one single Petition from the constituents he represented in favour of the Bill. He (Mr. Callan), on the contrary, had that day presented Petitions from every district of the County of Louth against the Bill, signed by the hon. and learned Member's constituents. The letters he had received from some of the most influential electors in that county sharply condemned the Bill, and one asked if they were savages that they should be shut up in the manner proposed? Amongst others, there was one from Mr. O'Connor, of Carlingford, to the effect that the people of Carlingford and Cooly were quite opposed to the Saturday Early Closing Bill, as it would seriously affect that district, all publicans being also in the grocery and provision trade. For four or five months of the year there were more than 200 boats engaged in the herring fishery, and Saturday evening was the only evening in the week they remained on shore for the purpose of getting their provisions for the week, &c. Some of these boats could not get into harbour until late in the evening, and all would be inconvenienced, as the publicans and grocers sold every kind of goods from a "nail to an anchor." He had also received a letter from Annagasson, and one from Mr. Curtis, of Drogheda, who wrote that as one wholly unconnected with the liquor traffic, a total abstainer, and a firm believer in the Sunday Closing Bill, he felt constrained to come to the conclusion that the Saturday Early Closing Bill would be a serious hurt and inconvenience to the working classes, a large proportion of whom were paid after 6 o'clock. Another and not inconsiderable portion of the working classes, artizans who were employed at piece-work, were paid at a much later hour, sometimes not till after 9 o'clock. As a proof of this, butchers and provisions dealers, who closed on other evenings at 8 o'clock, kept open until after 10 o'clock on Saturday nights. He asserted that the feeling in Louth would have been more strongly expressed, if the hon. and learned Member had not, in February last, written a letter to the *Freeman's Journal,* to which he was compelled to direct attention, because it was not very creditable to the character of the hon. and learned Member. He said the Bill would only apply to the five large towns of Ireland to which total Sunday closing did not apply. [Mr. SULLIVAN dissented.] He (Mr. Callan) had before him the Bill of 1877 brought in by the hon. and learned Member, and so far from it only applying to the five towns as had been stated by him, it certainly was made to apply to the whole of Ireland, the provision being that all public-houses should be closed at 7 o'clock. A leader was also based upon that letter in the organ of the hon. and learned Member, and he must say he was very much surprised that such a letter should have been written in face of the fact that both the Bill of 1877 and the present Bill applied to the whole of Ireland.

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

LOCAL GOVERNMENT PROVISIONAL ORDERS (AYSGARTH UNION, &c.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Aysgarth Union, the Improvement Act District of Bethesda, the Borough of Brecknock, the Local Government District of Croydon, the Boroughs of Derby, Doncaster, and Hastings, the Local Government Districts of Hinckley, Horsham, and Houghton le Spring, the Borough of Middlesborough, the Local Government Districts of Northallerton and Tunstall, the Port of Wisbech, the Local Government District of Wittington, and the Borough of Yeovil, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 142.]

GAME LAWS AMENDMENT (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to amend the Act passed in the Session of the ninth year of the reign of His Majesty King George the Fourth, chapter sixty-nine, and the Act passed in the Session of the seventh and eighth years of the reign of Her present Majesty, chapter twenty-nine, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 143.]

VALUATION OF LANDS AND ASSESSMENTS (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to amend the Acts for the Valuation of Lands and the levying of Assessments in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 144.]

TRUSTEES RELIEF BILL.

On Motion of Mr. WHEELHOUSE, Bill for the further relief of Trustees, *ordered* to be brought in by Mr. WHEELHOUSE, Sir GEORGE BOWYER, Sir EARDLEY WILMOT, and Mr. ISAAC.

Bill *presented,* and read the first time. [Bill 145.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 1*st May,* 1879.

MINUTES.]—PUBLIC BILLS—*Second Reading—* Petty Customs (Scotland) Abolition Act Amendment * (33).

*Committee—Report—*General Police and Improvement (Scotland) Provisional Order (Paisley) * (57); General Police and Improvement (Scotland) Provisional Order (Inverness) * (56).

*Report—*Rivers Conservancy (7-59-67); County Courts (12-60-62).

FOREIGN POLICY—NOTICE OF MOTION.

THE DUKE OF ARGYLL: My Lords, I wish to give Notice that on Friday, the 16th instant, I shall call the attention of your Lordships to the results of the foreign policy of Her Majesty's Government in Europe and Asia.

AFFAIRS OF EGYPT—PAPERS.

QUESTION. OBSERVATIONS.

THE MARQUESS OF LANSDOWNE: My Lords, seeing the noble Marquess the Secretary of State for Foreign Affairs in his place, I wish to ask him a Question of which I have given him private Notice. Public attention has been much directed of late to what has been doing in Egypt, and Parliament has waited with expectation for the communication of the Papers relating to events there. Two or three days ago, a Blue Book of 300 or 400 pages was put in our hands. It contained, no doubt, a great deal of important matter; but while it went back as far as May, 1876, it only came down to December last—the last important fact communicated by it being the arrival of Mr. Rivers Wilson in Egypt. Now, my Lords, I think Parliament is as much interested in the circumstances in which Mr. Rivers Wilson left that country, as in the circumstances in which he arrived there. I therefore hope that the noble Marquess will be able before long to supply your Lordships with further Papers on the subject. I understand it has been stated "elsewhere" that on the part of Her Majesty's Government there is some objection to the production of further Papers as long as negotiations are in progress with the Government of Egypt. I am well aware, of course, that it would be inconvenient to ask for Papers relating to the subject-matter of negotiations which are actually in progress. That, however, is not my intention. All I ask for is information relating to matters of fact, which are of public notoriety, but of which no authoritative account has yet reached Parliament?

THE MARQUESS OF SALISBURY: My Lords, I can assure the noble Marquess that it is the desire of Her Majesty's Government to lay Papers on the Table as early and as rapidly as they can, and as is compatible with the interests of the Public Service; but the noble Marquess knows that it is not usual to produce Correspondence referring to negotiations which are still going on. The Government are prevented by that consideration from laying on the Table at this moment further Papers on the Egyptian Question. I hope, however, that difficulty will not be in our way very long, and that we shall very shortly be able to produce other Papers for the information of your Lordships.

EARL GRANVILLE: My Lords, I do not think the noble Marquess has answered my noble Friend who put the Question. My noble Friend did not ask for Papers relating to negotiations which were still going on. There is no reason to suppose that Her Majesty's Government may not have acted very wisely; but the country is aware that the policy of the Government in respect of Egypt has collapsed, and that the gentleman whom they sent to assist the Khedive has been required to leave it in circumstances which have not yet been communicated to Parliament. All that we wish is to know what were the facts up to the time of the withdrawal of Mr. Rivers Wilson; and I do not think the production of the Papers containing those facts could embarrass any negotiations which may now be in progress.

THE EARL OF BEACONSFIELD: My Lords, I do not see how we are to carry on public affairs, if we are to adopt such a procedure as that which is now suggested. We have already placed on the Table Papers relating to the circumstances in which the Khedive applied to Her Majesty's Government to recommend an officer to be appointed to his service. What has occurred recently in the case of Mr. Rivers Wilson is evident enough, and must, in a certain degree, enter into the later communications between Her Majesty's Government and the Government of Egypt; and, therefore, we cannot produce these Papers. It is only a few days since our Consul-General in Egypt left this country with the intention of repairing to Cairo. The noble Earl will see that it is most desirable that we should wait the consequences of his visit. The Government are always anxious to supply your Lordships with all information possible touching public affairs, and when the Papers referred to are in such a state as that they can be produced without injury to the Public Service, we shall lay them upon the Table.

THE EARL OF KIMBERLEY: My Lords, I desire to re-iterate what has been said by the noble Earl (Earl Granville)—that we do not wish or suppose that the Government will produce Papers relating to negotiations actually going on. No doubt, negotiations are going on as to the recent occurrences in Egypt; but I share my noble Friend's astonishment that Her Majesty's Government do not put Parliament in possession of the facts relating to the dimissal of Mr. Rivers Wilson, so as to enable it to form a judgment as to what has already happened.

RIVERS CONSERVANCY BILL.

(Nos. 7-59-67.)

(*The Lord President.*)

REPORT OF AMENDMENTS.

Order of the Day for receiving the Report of the Amendments, read.

Moved, "That the said Report be now received."—(*The Lord President.*)

THE EARL OF CAMPERDOWN rose to move the Resolutions of which he had given Notice—

"1. That the conservancy of rivers and watercourses and the prevention and mitigation of floods are duties properly incumbent upon owners of lands;"

"2. Conservancy boards ought to consist of owners of lands only, by which class also all rates for the above purposes ought to be defrayed."

EARL STANHOPE rose to Order, and submitted that it was irregular to move an abstract Resolution on the Report of a Bill.

THE LORD CHANCELLOR, however, thought that the noble Earl was in Order.

THE EARL OF CAMPERDOWN had framed his Amendment as two Resolutions, because he thought that form would be the most convenient for its consideration. The reason why he proposed that this taxation should fall wholly on the owners, instead of in part on the occupiers, was because the improvements contemplated by the Bill were in the character of permanent improvement of the estate. There was not a farmer in the country who had contemplated that at a future time he would be taxed for having drained his land into a river. He maintained that the cost of the improvements generally ought to be paid by the landlord; and all the tenant ought to pay for was the increased value of his holding, and what he paid for that ought to be paid in the shape of additional rent. For these reasons, he begged to move his Resolutions.

Amendment *moved,*

To leave out from ("That") to the end of the motion, and to add

("1. The conservancy of rivers and watercourses and the prevention and mitigation of floods are duties properly incumbent upon owners of lands;

"2. Conservancy boards ought to consist of owners of lands only, by which class also all rates for the above purposes ought to be defrayed.")—(*The Earl of Camperdown.*)

THE DUKE OF RICHMOND AND GORDON submitted that it would have been more convenient if the objections contained in the Resolutions of the noble Earl had been moved by way of Amendment to the second reading of the Bill, when its principle was affirmed; or, at the very latest, as an Amendment when the Bill was in Committee. The Motion before the House was that the Report of the Amendments be received. Therefore, if the noble Earl's Motion were successful, the Report would not be received; and that showed the inconvenience of the course which the noble Earl had adopted. But he (the Duke of Richmond and Gordon) objected to the Motion both in point of form and because he did not agree with the noble Earl that the occupiers were not concerned in the general drainage of the country. No doubt, the landowners were largely interested in the improvements proposed to be effected under this Bill; but he submitted that the occupiers, if not equally, were, at all events, to a very great extent, interested also. There was direct evidence that in some parts of the country when floods prevailed water stood for weeks and months over the whole farms, so that the tenant could not get on his land to carry out the ordinary occupations of agriculture. The occupier was, therefore, as much interested as the landowner himself upon that ground, and also upon the ground of sanitary consideration, for the prevalence of those floods contributed much to fever and ague. Consequently, not only the occupier, but also the agricultural labourer, was injured to a great extent by the absence of measures that were necessary for carrying away the water. The noble Earl had admitted that if the occupier was not rated he could not expect to have a seat at the Board; and if the Conservancy Boards were deprived of the services of the occupiers of land, they would, in many cases, be deprived of some of the most valuable members, who brought to bear on questions at issue great knowledge of the country, experience, and business habits. The noble Earl thought that the occupiers should be rated, not in the form of a rate levied by the Conservancy Board, but in the shape of additional rent. If, however, an arbitrary rate was to be imposed by the landlord on the occupier of land in that way, the occupier would be in this position—that he would be rated for the purposes of the Act to any extent the landlord might think fit, while he would have no voice whatever in the imposition of the taxation which he would be called upon to pay. For these reasons he should oppose the Resolutions.

THE EARL OF KIMBERLEY said, he did not see that any objection need be urged to the form in which this matter was brought before the House, it being a very common thing to propose a Resolution on the Question of the Report being received. If the noble Earl's Amendment were carried, it would only delay the reception of the Report one day. With regard to the Main Question, it must be borne in mind that the works which were proposed to be carried out under this Bill were permanent works—probably of considerable magnitude, and tending to increase the permanent value of certain portions of the land; that, on the other hand, a large number of tenants in this country were tenants from year to year, who had but a very temporary interest in the improvements for which they were to be called upon to pay. Some of these small tenants would be called on to pay for works from which they would not derive a benefit to the amount of a single penny, and they would find themselves saddled with charges for drainage works which had been carried out without their supposing that they would be called upon to pay the expense. With respect to the question of the occupiers not having a seat on the Board in the event of their not being rated, as proposed under the Bill, he thought they would have a much more potent voice if they were rated in the form of an addition to their rent, as suggested by his noble Friend, because they would be in a position to judge how far the improvements added to the value of their farms, and to say what additional rent they were prepared to pay. The question of their having to pay an addition to their rent would settle itself, because they would not be called on to pay additional rent if the value of their holdings had not been improved by the works. Therefore, he agreed with his noble Friend that the landlords were the persons to be charged for permanent improvements under the Bill.

THE MARQUESS OF RIPON opposed the Resolutions. To say that because these were permanent works the rates were to be thrown exclusively on the owners was to go against the principle which had been hitherto recognized in such matters, and this Bill followed the precedent of all former Drainage Acts in charging the occupiers as well as the owners; and in towns, and even in some rural districts, the principle adopted in regard to sanitary improvements was that the charge should fall in some proportion on the occupiers. He should be sorry to see the proposal of his noble Friend accepted, because if their Lordships adopted the 1st Resolution, they must adopt the 2nd—if they put the whole rate on the owners they must exclude the occupiers from having a place at the Board. Now, the tenant-farmers had a very considerable interest in the matter; they were very valuable members of Conservancy Boards, and it would not be for their benefit to be deprived of their due share of representation on questions in which they were so largely interested. He considered that the principle of rating proposed in the Bill was a good one.

THE DUKE OF SOMERSET suggested that this was a most unfortunate time for imposing fresh taxation on the farmer. But he desired to know how it was that this Bill, which was a taxing Bill, had originated in the House of Lords? The other day the noble and learned Earl on the Woolsack had put aside a Bill relating to the Law Courts because it imposed new taxes, and therefore held that it ought to emanate from the House of Commons. Where was the line to be drawn? That was a Bill which would have taxed only a very few persons—this was one which would tax a large portion of the community. Why, then, should it originate in their Lordships' House?

The LORD CHANCELLOR said, the distinction was that the Bill relating to the New Law Courts was a taxing Bill entirely, whereas the Bill now under consideration only contained certain taxing clauses. There was no doubt that there were clauses in this Bill which were taxing clauses, and that a great many Bills passed through their Lordships House which had taxing clauses in them; but the practice of their Lordships was that after treating these clauses as if they were in the Bill for the purpose of argument and illustration, when the Bill had been read the third time, and before the Question was put, "That the Bill do pass," these "privileged clauses," as they were called, were struck out. The Bill, as read the third time, was printed in black ink; but the clauses that were afterwards struck out were printed in red ink. Everyone knew what that meant. In the case of the Bill relating to the Law Courts, however, the clauses were all money clauses, and to have sent it down to the Commons with the money clauses struck out would have been to send down, practically, a blank sheet.

LORD STANLEY OF ALDERLEY expressed entire approval of the Resolutions, which were for the convenience of the House, and, so far from being abstract propositions, were compact statements which made the matter clear at once, whilst Amendments scattered over the Bill would have been more difficult to understand. With regard to what had been said about the farmers getting no voice in the matter, they always had a voice as to increase of rent; but it did not follow that there would be an increase. There would be a decrease in the case of lands which are now annually flooded, and which, as the farmers say, manure themselves, if this Bill should put an end to those floods.

THE EARL OF GALLOWAY was also understood to express a feeling in favour of the Resolutions.

THE EARL OF MORLEY thought, also, that the arguments were in favour of the Resolutions.

On Question, That the words proposed to be left out stand part of the Motion? Their Lordships *divided*:—Contents 57; Non-contents 36: Majority 21.

The Duke of Somerset

CONTENTS.

Cairns, E. (*L. Chancellor.*)

Bedford, D.
Northumberland, D.
Richmond, D.
Rutland, D.

Ailesbury, M.
Ripon, M.
Salisbury, M.

Beaconsfield, E.
Beauchamp, E.
Dundonald, E.
Harrowby, E.
Manvers, E.
Mount Edgcumbe, E.
Nelson, E.
Onslow, E.
Ravensworth, E.
Rosse, E.
Saint Germans, E.
Stanhope, E.
Strange, E. (*D. Athol.*)
Strathmore and Kinghorn, E.
Waldegrave, E.
Wilton, E.

Bridport, V.
Cranbrook, V.
Hawarden, V. [*Teller.*]
Lifford, V.

Melville, V.
Templetown, V.

Airey, L.
Bagot, L.
Brodrick, L. (*V. Midleton.*)
Clinton, L.
Colchester, L.
Cottesloe, L.
de Ros, L. [*Teller.*]
Digby, L.
Ellenborough, L.
Forester, L.
Foxford, L. (*E. Limerick.*)
Gordon of Drumearn, L.
Gormanston, L. (*V. Gormanston.*)
Hampton, L.
Hanmer, L.
Harlech, L.
Lovel and Holland, L. (*E. Egmont.*)
Massy, L.
Norton, L.
Ormonde, L. (*M. Ormonde.*)
Rayleigh, L.
Ribblesdale, L.
Saltoun, L.
Tollemache, L.
Ventry, L.
Windsor, L.
Winmarleigh, L.

NOT-CONTENTS.

Somerset, D.

Lansdowne, M.

Airlie, E. [*Teller.*]
Camperdown, E. [*Teller.*]
De La Warr, E.
Derby, E.
Ducie, E.
Fortescue, E.
Granville, E.
Jersey, E.
Kimberley, E.
Lovelace, E.
Minto, E.
Morley, E.
Redesdale, E.
Selkirk, E.
Spencer, E.
Sydney, E.

Bateman, L.

Foley, L.
Greville, L.
Hammond, L.
Houghton, L.
Lyttelton, L.
Monson, L.
Monteagle of Brandon, L.
Mostyn, L.
Northwick, L.
Ponsonby, L. (*E. Bessborough.*)
Selborne, L.
Stanley of Alderley, L,
Stewart of Garlies, L. (*E. Galloway.*)
Strafford, L. (*V. Enfield.*)
Stratheden and Campbell, L.
Sudeley, L.
Thurlow, L.

Resolved in the *Affirmative;* Original Motion *agreed to*, and Amendments reported accordingly.

THE EARL OF REDESDALE again urged his objection to the proposition in the 5th clause with respect to the proportionate contribution of uplands—namely, that the proportion to be paid by uplands should not exceed a fourth of the contribution in respect of floodlands; and moved a Proviso proposing to exempt uplands from rating until certain conditions should have been fulfilled.

Amendment *moved,* in Clause 5, page 2, line 26, after ("floodlands") insert—

("Provided always, that until all mill-dams, weirs, or other artificial obstructions to the free course of the river in the floodlands and intermediate lands are removed, or other works constructed therein affording equal relief to the flow of water as would be obtained by such removal, no rate shall be imposed on the uplands for any expenditure to be incurred for the relief of floods in the floodlands or the intermediate lands respectively caused by subsoil drainage in the uplands.")—(*The Earl of Redesdale.*)

THE DUKE OF RICHMOND AND GORDON repeated that the scientific evidence taken by the Select Committee of their Lordships' House showed that the drainage of the uplands increased the floods in the lowlands. One of the most eminent civil engineers in the country, Sir John Hawkshaw, in giving evidence before the Committee of the House of Lords in 1877, expressed a decided opinion that the uplands should bear a portion of the expense occasioned by the water which they poured down upon the lowlands. Accepting the view of Sir John Hawkshaw, he could not agree with the proposal of the noble Earl; but he was willing to reduce the proportion of expense payable by the uplands from one-fourth to one-sixth, and had placed an Amendment on the Paper to that effect.

THE EARL OF KIMBERLEY concurred with his noble Friend at the Table (the Earl of Redesdale) in thinking that it would be a gross injustice to tax upland owners for damage occasioned by obstructions in watercourses which the lowland proprietors had raised for their own advantage. In cases where the natural channels were not sufficient to carry all the water away, a portion of the damage caused by flooding might be fairly attributed to the uplands, but not otherwise. The definitions in the Bill appeared to him open to some objection. "Intermediate lands" were described as lands draining by sub-soil drainage into the principal river of the district. It followed, then, that "uplands" were lands which did not so drain, which was surely not what the promoters of the Bill intended. He could not, therefore, accept the proposition of the noble Duke; but should support the Motion of the noble Earl the Chairman of Committees for the exemption of uplands.

THE MARQUESS OF SALISBURY pointed out to the noble Earl (the Earl of Kimberley) that his argument might be used with equal force in favour of the lowland proprietors. Supposing a mill had been standing in a valley for a century, and that no flooding ever occurred until some agriculturist of the new school, full of the science of his time, established himself on the uplands, and, by means of a new system of drainage, brought down a much larger quantity of water in a shorter time, and thus caused the floodings which it was the object of this Bill to prevent. What an injustice to saddle all the expense upon the lowland proprietor. With regard to the definition of "uplands" in the Bill, he would remind the noble Earl that where there was no sub-soil drainage there might be ditches, which would answer the same purpose.

THE MARQUESS OF RIPON said, it was found that the definitions originally contained in the Bill would not work well, and those now in the Bill had been inserted in their stead. He was not prepared to say that they were the best that could be found, and he should be happy to listen to any suggestions which could be made for their improvement. As to the general question now under discussion, he thought it had been conclusively shown that the drainage of the uplands had inflicted injuries on the lowlands; and even in the case of the so-called obstructions to the natural course of the water, it should be borne in mind that though these mills and dams might have existed for years the floods were a matter of comparatively recent date. He should certainly oppose the Amendment of the noble Earl.

THE EARL OF MORLEY thought the Motion proposed by his noble Friend deserved careful attention. Something was to be said for the argument of the noble Marquess in the case of intermediate lands, because they had obtained some considerable advantage for themselves. But it was different with the uplands. They were free from the infernal machinery of sub-soil drainage.

Amendment *negatived.*

On the Motion of the Duke of RICHMOND and GORDON, the word "fourth" was struck out from the clause, and the word "sixth" inserted instead.

On the Motion of the Duke of RICHMOND and GORDON, the following Amendments were agreed to:—

Clause 6 (Constitution of Conservancy Board).

After line 37 insert the following sub-section:—

(6.) "The order may provide for the combination of two or more sanitary authorities for the purpose of the election of members of the conservancy board, and where the district of a sanitary authority is partly within the district of the conservancy board those members only of the sanitary authority who represent wards or parishes wholly or partly within the district of the conservancy board shall vote in the election of the members of such board."

In lieu of Clause 25, insert—

(Incidence of conservancy rate.)

"The incidence of any conservancy rate levied under this Act in a conservancy district shall be determined in each case by the order establishing the conservancy board of that district, subject to the provisions of this Act, and subject as follows:—

(1.) "So far as any portion of the rate is levied in respect of any existing work which a person has specifically contracted to perform or pay for, or in lieu of any existing rate which a person has specifically contracted to pay, the order shall, as far as practicable, provide for that portion of the rate being ultimately borne by that person.

(2.) "In any other case, subject to the provisions of any specific contract made with respect to the rate, the order shall as far as practicable provide for the equal division of the rate between the landlord and the occupier.

"For the purposes of this section—

(1.) "The expression 'existing work' means the cleansing, repairing, or otherwise maintaining in a due state of efficiency of any such watercourse or outfall for water, or of any such wall, bank, dam, or other defence against water as exists at the date at which the order comes into operation, and the expression 'existing rate' means any rate leviable at the same date.

(2.) "The expression 'landlord' means any person receiving from the occupier of any land the rent for such land otherwise than under a lease granted originally for more than thirty years, and of which not less than ten years are unexpired, and the order may provide for the deduction of any portion of the rate by such landlord from the rent payable by him in respect of the said land to any person otherwise than under such a lease as aforesaid."

Other Amendments made.

Bill to be read 3ª on *Monday* next; and to be *printed* as amended. (No. 67.)

House adjourned at a quarter before Seven o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 1st May, 1879.

MINUTES.]—NEW WRIT ISSUED—*For* Canterbury, *v.* Lewis Ashurst Majendie, esquire, Chiltern Hundreds.

SELECT COMMITTEE—Lighting by Electricity, Mr. Adam *discharged,* Sir David Wedderburn *added.*

WAYS AND MEANS—*considered in Committee—Resolution* [April 3] *reported.*

PUBLIC BILLS—*Ordered*—Public Health (Scotland) Provisional Order (Bothwell) *.

Ordered—First Reading—Marriages Confirmation (Her Majesty's Ships) [149].

First Reading — Local Courts of Bankruptcy (Ireland) * [146].

Committee — Army Discipline and Regulation [88]—R.P.; Companies Acts Amendment [102]—R.P.; Parliamentary Burghs (Scotland) * [97]—R.P.

Committee — Report — Prosecution of Offences [68-147]; Banking Laws Amendment * [73-148].

Third Reading—Public Health (Scotland) Provisional Order (Castle Douglas) * [120], and *passed.*

QUESTIONS.

ELEMENTARY EDUCATION ACT—CHILDREN IN BOARD SCHOOLS.

QUESTION.

MR. HEYGATE asked the President of the Local Government Board, Whether it is true, as stated in a recent letter in the "Manchester Courier," that the School Board of that City have, during the last winter, provided free breakfasts at the expense of the ratepayers for children attending certain public elementary schools under their control; and, if so, whether such expenditure can be legally defrayed out of school rates, or out of any interest fund accruing therefrom?

MR. SCLATER-BOOTH: Sir, although I have no official knowledge on this subject, I have not the least doubt upon the point, having been privately informed that the case is as the hon. Member has stated. I do not, however, understand that the expense was defrayed at the cost of the rates, which would have been clearly illegal; but partly by the kindness of private individuals, and partly out of interest accruing on balances in the hands of the treasurer of the School Board. It will be for the auditor, in the first instance, to pronounce on the legality of this proceeding; and as his decision may come before the Local Government Board on appeal, it would be improper for me to anticipate a decision; but I may say that in an analogous case, where the overseers and guardians were interested in a similar fund, the Board had held that the interest received by them on the balance from time to time in the hands of their bankers could only be appropriated to the purposes to which the funds from which such interest arises were applicable.

SOUTH AFRICA—THE ZULU WAR—H.R.H. THE COMMANDER-IN-CHIEF AND LORD CHELMSFORD.

QUESTION.

Mr. E. JENKINS asked the Secretary of State for War, Whether, having regard to the Letter of Service issued to His Royal Highness the Field Marshal Commanding in Chief by the Secretary of State for War in 1856, and the Order in Council of the 4th June 1870, together declaring and defining the powers and duties of His Royal Highness Commanding in Chief, and also to the powers and responsibilities of the Secretary of State for War, His Royal Highness was not exceeding the limits of his authority and encroaching on that of the Secretary of State for War, in sending to a Commander of the Forces in the field on Foreign Service a telegram, afterwards published by that Commander in General Orders, to this effect—

> "Fullest confidence in regiment, and am satisfied that you have done and will continue to do everything that is right;"

and, whether, since according to the statement of the Secretary of State for War such a telegram was sent by His Royal Highness to Lord Chelmsford, any remonstrance has been addressed to His Royal Highness on the subject?

Colonel STANLEY: Sir, I have looked carefully over the Letters of Service and over the Orders in Council and other documents connected therewith, after seeing the Question of the hon. Member on the Paper, and I am bound to say that, after reading them, I do not arrive at the same conclusion as that to which the hon. Member has come. I do not consider that His Royal Highness the Commander-in-Chief was exceeding the limits of his authority, and encroaching on mine, in sending the telegram to which reference has been made. As a matter of fact, I believe I did see the telegram before it was sent. I certainly did not object to its being sent, and, under these circumstances, I may add that I have not thought it necessary to address any remonstrance to His Royal Highness upon the subject.

INFANTS' LIFE PROTECTION ACT, 1872—CRUELTY TO CHILDREN.

QUESTION.

General SHUTE asked the Secretary of State for the Home Department, Whether his attention has been drawn to the painful case of cruelty to children disclosed on the trial for manslaughter of Charlotte Green, alias Martin, at the late Spring Assizes at Lewis; and, whether he will consider the advisability of some amendment in the Infants' Life Protection Act of 1872 that might prove a check to such atrocious practices?

Mr. ASSHETON CROSS, in reply, said, that, no doubt, the case referred to was a most revolting, horrible, and heartless one. The learned Judge who tried the case had promised him a copy of his notes. After reading them, he should be able to see whether the cruel practices to which the hon. and gallant Member drew attention had been rendered possible through any omission in the Infants' Life Protection Act, and whether it required amendment or not. In any case, there were, under that Act, very strong powers in the hands of the local authorities, and it was a question whether they should not be called on to exercise them.

CONTAGIOUS DISEASES (ANIMALS) ACT—TRAVELLING INSPECTORS.

QUESTION.

Mr. J. W. BARCLAY asked the Vice President of the Council, Whether

Captain Seymour Curtis, R.N., recently appointed a Travelling Inspector under the Contagious Diseases (Animals) Act, has had any experience of dealing with Contagious Diseases of Animals?

LORD GEORGE HAMILTON: Sir, the officer referred to has had no experience whatever in the treatment of contagious diseases of animals, and, inasmuch as he has nothing to do with the inspection or treatment of animals, it is not necessary that he should have had any such experience. The sole duty of a travelling Inspector is to visit the various railway stations, landing places, markets, and lairs which are used in the cattle trade, and to see that the requirements of the Act and of the Order in Council are carried out, and that the vessels and carriages used for the conveyance of animals, and the pens and other places in which animals are kept, are properly cleansed and disinfected. It is because Captain Curtis is specially qualified to discharge these duties that he was selected for the post of travelling Inspector.

EAST INDIA—(DUTIES ON COTTON GOODS).—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether the late action of Lord Lytton in remitting some of the Indian Cotton Duties was done with the knowledge and consent of Her Majesty's Government or of the Secretary of State for India?

MR. E. STANHOPE: Most undoubtedly, Sir. It was taken with the knowledge and approval of Her Majesty's Government.

SIR GEORGE CAMPBELL: In consequence of the answer I have received, I wish to give Notice that I will take the earliest opportunity of moving the following Resolutions:—

> "That the action of Her Majesty's Government in causing or authorising the late reduction of the Indian Duties on Cotton Goods, without consulting the Council of India, is contrary to the Act for the better Government of India, which requires that every order or communication sent to India shall be submitted to the Members of the Council, excepting only in the case of urgency or the issue of orders such as might formerly be sent through the Secret Committee of the Court of Directors.
>
> "That the action of Lord Lytton, as Governor General of India, in carrying into effect the reduction of Duties in opposition to the opinion of the Council of the Governor General is contrary to the true intent of the Laws, which confine the power of the Governor General, to overrule his Council, to measures whereby the safety, tranquillity, or interests of the British possessions in India are essentially affected.
>
> "That, quite irrespective of the merits of the Cotton Duty question, the adoption of a measure of this kind in disregard both of the Council of India in this Country, and of the Council of the Governor General in India, amounts to setting aside altogether the safeguards provided by Parliament for the protection of the interests of India and the introduction of a new and unprecedented system of personal rule in regard to the affairs of that Country."

EDUCATION—RELIGIOUS EDUCATION OF CHILDREN IN UNIONS.

QUESTION.

SIR MATTHEW WILSON asked the President of the Local Government Board, If his attention has been called to the case of a child in the Skipton Union Workhouse called Rose, but whose name ought to be Eastwood, for whom an order of removal to the Catholic School, Richmond Hill, Leeds, was made, bringing considerable additional charge on the union, though her mother was, at the time of this child's birth, a Protestant?

MR. SCLATER-BOOTH: Sir my attention has been drawn to this case, and the order of removal was made by my direction. The mother, at the time of the child's birth, was a Protestant; but she afterwards married a Roman Catholic, and became a Roman Catholic herself. The husband subsequently died, and the mother, with the child in question and another, became inmates of the workhouse, all three being entered in the creed register as Roman Catholics. At one period, all the children in the workhouse, including this child, were sent to the Roman Catholic school in the town; but they were afterwards sent to a Wesleyan school. The mother made application to the Board, in accordance with the provisions of the Statute, to send the child to a certified school of her own denomination, and the order was accordingly made. I may add that the neglect of the Guardians, during three months, to reply to certain inquiries, left me no alternative but to issue the order, even assuming that explanations subsequently given would have justified a different course.

WEIGHTS AND MEASURES ACT, 1878—THE "BUSHEL" MEASURE.

QUESTION.

MR. STANTON asked the President of the Board of Trade, If his attention has been called to an article in the "Daily News" of April 29th, on the subject of the Weights and Measures Act of 1878, which seems calculated to mislead the public as to the meaning and intention of the Act with reference to the bushel measure; and, if he has considered the desirability of making an explanatory statement, or of issuing a memorandum, in addition to that just published on the Motion of the noble Lord the Member for Wigan, which shall remove the doubts which appear to exist on the subject?

VISCOUNT SANDON: Sir, in consequence of the hon. Gentleman's Question, I have referred to the article to which he alludes, and there is one point which appears to require some explanation. I am advised that the old or existing shapes of bushel measures are not repealed, and that there is nothing in the Act to justify local Inspectors interfering in the use of them. I should add, that the bushel measure in the 16th section of the Act is not an Imperial measure, and that there is no Board of Trade standard of it. After this explanation, I think the hon. Gentleman will feel that there is no necessity for the issue of a further memorandum.

INLAND REVENUE—THE INCOME TAX, SCHEDULE B—FARMERS' RETURNS.

QUESTION.

COLONEL BARNE asked Mr. Attorney General, Whether, supposing a tenant farmer can prove to the satisfaction of the Income Tax Commissioners that he has made less profit from his farm than half his rent, he can get an abatement from his income tax; and, if he can show that he has made no profit, he can get entire remission, either by the Act 14 and 15 Vic. c. 12, s. 3, or any other Act?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, the enactments relating to the subject to which the Question refers are contained in the Acts 14 & 15 *Vict.* c. 12, s. 3, and the Act 16 & 17 *Vict.* c. 34, s. 46. A tenant farmer can obtain abatement from the Income Tax charged under Schedule B, if he proves to the Income Tax Commissioners, upon appeal, under those enactments, that he has made less profit from his farm than the amount upon which the charge has been made, or entire remission if he proves that he has made no profit from the farm.

VIVISECTION.—QUESTION.

MR. ANDERSON asked the Secretary of State for the Home Department, If there is any authority in "The Cruelty to Animals Act, 1876," or, if not, under what other authority, certain holders of licences for the practice of vivisection in the University of Cambridge, the Glasgow Royal Infirmary, and the Queen's University of Belfast, are allowed exemption from the ordinary publicity, and in the Return recently presented to Parliament have their names concealed; and, if he will now lay upon the Table the names omitted from that Return, with the reasons for each omission, and take steps to prevent in future such a possibility of a secret practice of vivisection?

MR. ASSHETON CROSS: Sir, no one at all is exempt from the ordinary publicity; but when the Act was under consideration, objections were over and over again urged against the individual names of the holders of licences being published, because it was thought that persons who took a strong view on the matter might subject them to annoyance and loss of practice. That is the reason why the names were omitted from the Return. The hon. Member for Sheffield (Mr. Mundella) in 1876 asked for such a Return, and this answer was then given. The same answer was given to my hon. Friend the Member for North East Lancashire (Mr. Holt) in 1878. This year, when the Inspector was making his Report, I told him that, although I objected to the publication of any names without the consent of the parties concerned, he might write to them to ask if they did object; he has done so, and, with a very few exceptions, they have consented to the publication of their names, and I hope this example will be followed in future years, and that we shall have a full Return, probably by next year.

PARLIAMENT — CUSTOMS AND PRACTICE OF THE HOUSE—"MAKING A HOUSE."—QUESTION.

SIR JULIAN GOLDSMID: Sir, I wish to submit to you a Question of Privilege, which I will put before the House in as few words as possible. Yesterday, when I had the honour of being Chairman of a Committee which has been sitting some time in this House, the Sergeant-at-Arms came up into the Committee Room without the Mace, and informed me that you, Sir, desired—indeed, some of us understood him to intimate that it was your "order" that we should assist—to make a House, and that we must attend downstairs in order to make a House. Now, Sir, I want to know in what position hon. Members serving on Committees are placed? It might be, as it was the case yesterday, that a very large number of hon. Members were outside the House in the Lobby, doing absolutely nothing, but declining to make a House, while we were performing an arduous, and by no means pleasant, public duty upstairs. And I should like to know from you, Sir, whether it is not the Constitutional Privilege of every hon. Member of this House to show his dissent to any particular measure about to be brought before the House, by abstaining from attending to make a House, and thereby preventing that particular measure from being brought forward? And I am informed that that was yesterday the reason why a large number of hon. Members declined making a House. I do not conceal the fact that I myself entertain great objections to the Bill which it was proposed to bring before the House, and I, for one, should have been glad if a House had not been made; and, even if I had been doing nothing, should have been very unwilling to have assisted in making one. But I am always anxious to bow to your authority, and I wish to know whether, when hon. Members are serving on Committees upstairs, they must attend and make a House? It amounts to this —that under your authority the Sergeant-at-Arms calls the Committee away, inflicting no hardship upon them, but putting the parties appearing before the Committee to considerable expense if the proceedings of the Committee are thereby extended. I ask your advice, Sir, upon the point, because it not only affects the independence of hon. Members, but also the interest of a large number of persons out-of-doors. I should like to know, Sir, if you will kindly inform us whether, under your authority, the Committee-room is to be cleared; whether, when that is done, we have obeyed your order; or whether it is our duty, whatever our feelings may be with regard to any Bill, to come down to make a House? I ought to add that the Sergeant-at-Arms came without the Mace, and informed us that if we did not attend the summons, he would have, with your authority, to come with the Mace. What the meaning of that menace was I could not quite make out. I shall be much obliged, Sir, if you will kindly condescend to inform me what are my duties under such circumstances? I think it would be well, Sir, if we could have some information on the point, as many other hon. Members would like to know in what position they are placed.

MR. SPEAKER: As the House is aware, it has been the custom whenever a quorum of hon. Members has not been present after prayers, for the Speaker to send the Sergeant-at-Arms to the rooms of such Committees as may be sitting, in order to request the attendance of hon. Members in order to make a quorum. That is a practice which has been founded upon ancient custom, and I may inform the House that I have in my possession a manuscript book, which was carefully prepared under the authority of Mr. Speaker Abbot in 1805, which bears upon this practice, and, with the permission of the House, I will read an extract from the book, premising that it has been handed down to me by my Predecessors, and is now in my custody. The book is entitled *A Work on the Officers and Usages of the House of Commons*, and the passage is as follows:—

> "After prayers, the Speaker generally retires to his own chamber, or sits in the House in the Clerk's chair. When he says he wishes to take the Chair and there are not 40 Members in the House, the Sergeant must go to the Committees upstairs, and, addressing himself to the Chairman, must say—'Sir, the Speaker wants to take the Chair, and desires the Members of Committees to come down and help to make a House.' If they do not comply with this summons, the Speaker can send—and frequently has sent—up the Sergeant-at-Arms with the Mace; and on the appearance of the Mace at any Committee, that Committee is dissolved, of course. But it

is convenient and usual first to inform the Committee that the Speaker intends, or threatens to send the Mace if they do not come, and for the messenger, when the Mace is coming, to inform the Committee of it, that they may adjourn and not be dissolved."

The House will observe that the course which I took yesterday was founded upon the practice described in the passage which I have read. I may remark further, in reference to what has been said by the hon. Baronet, that I have no authority to compel the attendance of hon. Members who are serving on Committees. The attendance of Members in this House at the request of Mr. Speaker must, under the circumstances, be left to their own good sense and judgment.

PARLIAMENT—RULE AS TO DECIDED QUESTIONS.—QUESTION.

MR. J. R. YORKE: I wish to ask you, Sir, a Question with reference to a Motion which stands on the Paper of the House in the name of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), which constitutes a colourable evasion, if not a breach of the Rules of this House. I take it that by the Rules of the House no Motion which has been submitted and debated, and the issue determined, can a second time be submitted to the House in the same Session of Parliament. It will be in the recollection of the House that on Monday, after two nights' debate, the subject under discussion was determined by this House. That debate was on the Motion of the hon. Member for Burnley (Mr. Rylands)—"That the House views with regret the great increase in the National Expenditure," and the Motion which now stands in the name of the hon. Baronet the Member for Carlisle on going into Committee of Supply is that—

> "This House disapproves of the Foreign and Colonial policy of the Government, which renders necessary the increased and increasing Expenditure of the present Government."

We are quite aware that a great many hon. Members, not a few of whom are sitting on the other side of the House, if not of that Party, wished to address the House upon the Motion of the hon. Member for Burnley, and I am not surprised that they should appear to rejoice in the opportunity of producing those speeches which they wished to make on a former occasion. I wish to ask you, Sir, whether it is expedient that such a course as that proposed to be taken by the hon. Baronet should be tolerated by the House, inasmuch as it would not greatly tax the ingenuity of any hon. Member who wished to do so to revise the subject of the National Expenditure, and thus evade the Rule that the same question must not be twice submitted to the House during the same Session. If this, what I call colourable evasion of the Rules of the House, is allowed to be introduced, I do not see what prospect there is of our disposing of the real Business of the Session. ["Order!"] I hold that I am in Order in submitting this question for your opinion. I beg to ask you, Sir, whether the Motion of the hon. Baronet is in Order, or whether I am right in characterizing it as an evasion of the Rules of the House?

MR. SPEAKER: On examining the terms of the Amendment of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), I find that the essence of that Motion is disapproval of the foreign and Colonial policy of Her Majesty's Government. It is, no doubt, true that during the debate upon the Amendment of the hon. Member for Burnley (Mr. Rylands), the discussion embraced very fully the foreign and Colonial policy of the Government; at the same time, the terms of the Amendment of the hon. Member for Burnley did not specifically refer to that policy, and, therefore, technically speaking, I think it is open to the hon. Baronet the Member for Carlisle to challenge, as he proposes to do, the foreign and Colonial policy of the Government, the judgment of the House not having been specifically taken out on that question.

PARLIAMENT—RULES AND ORDERS—ALTERATION OF QUESTIONS.

PERSONAL EXPLANATION.

SIR WILFRID LAWSON asked Mr. Chancellor of the Exchequer, Whether it is convenient for him to state when it is intended the House should go into Committee on Ways and Means?

THE CHANCELLOR OF THE EXCHEQUER: I stated the other night to my right hon. Friend the Member for Greenwich—whom I do not see present just at this moment—who wished to have an opportunity of making some remarks of a personal character upon the Motion for going into Committee on Ways and Means, that I thought Monday next would be the most convenient day. I therefore propose to take it on Monday. I wish to take this opportunity of making a short personal explanation to the House with regard to a matter which I understand took place yesterday, and which caused me a good deal of regret. I was unable to be in my place yesterday at the time of the meeting of the House, because I was at a Cabinet Council. If I had been aware that the right hon. Baronet the Member for Tamworth (Sir Robert Peel) was going to address a Question to me, I should have, of course, communicated with him and told him I could not be here. But, unfortunately, I was not in the House. At all events, I did not hear the Notice which he gave on the evening before; and, owing to accidental circumstances, with which I need not trouble the House, I did not see it, and my attention was not called to the Question yesterday morning by any of my Colleagues. I have explained the matter to the right hon. Baronet; but I thought it was due to the House to state that it was from no want of respect to it or him that I was not here.

Sir WILFRID LAWSON asked, Whether Ways and Means would be taken as the first Order on Monday?

The CHANCELLOR of the EXCHEQUER: I think so; but it will depend upon the progress of other Business.

INDIAN FINANCE—ADJOURNED DEBATE.—QUESTION.

Mr. CHILDERS: Last week, Sir, I asked the Under Secretary of State for India when we might expect a renewal of the debate on Indian finance. He said that it would not be resumed in the same shape; but that the whole question of Indian finance would be taken at a date which he would be able to indicate later on. I rise now to ask, Whether he can tell us the day when that question will be considered, and whether we shall have before us the necessary materials for its discussion?

Mr. E. STANHOPE: Sir, I am not at present in a position to name a day when the discussion will be resumed; but certainly it was my intention, if it was the wish of the House, that when we did renew the debate on the proposal of the Government to raise the Loan for the purposes of India, we should take the opportunity of discussing the whole question of Indian finance. I think it would be convenient to the House if the discussion were taken then, as hon. Members will be able to understand the reasons of the Government for the course they intend to pursue. I have also prepared in the India Office a certain Return in a new shape, which I hope will enable the House to see more clearly than at present what is the position of Indian finance.

Mr. CHILDERS: Will there be any objection to lay on the Table the Budget Memorandum or Paper which has already appeared in the Indian newspapers, and which, therefore, I presume is a public document?

Mr. E. STANHOPE: I cannot imagine any objection to its production, but I should like to consult my noble Friend the Secretary of State on the subject, and, subject to his approval, I will take steps to place the Paper in the hands of hon. Members.

ARMY DISCIPLINE AND REGULATION BILL.—QUESTION.

Sir ALEXANDER GORDON wished to put a Question to the Secretary of State for War, of which he had given him private Notice as soon as he possibly could—namely, when he found that his promised Amendment on the Army Discipline Bill was not on the Paper. He wished to ask him, Whether, before going into Committee, he would put on the Paper the clause which he proposed to substitute for Clause 178, with the view of preventing the Bill from altering the relations between the Crown, the Army, and Parliament?

Colonel STANLEY said, he was obliged to the hon. and gallant Gentleman for giving him Notice of his Question. He admitted that it would have been better if, before now, he had laid on the Table the old clause which it was proposed to substitute for the new one at present in the Bill; but he was waiting until some verbal Amendments which were proposed were settled. He could not promise to lay the terms of the clause on the Table before the House went into Committee on the Bill, as he hoped to get into Committee shortly—that evening, in fact. Inasmuch, however, as the Amendment contemplated referred to Clause 178, he could not help thinking, however sanguine he might be as to the progress he hoped to make, that there would be ample time given to put the clause upon the Paper, and also for its consideration, before Clause 178 was reached.

PARLIAMENT—MORNING SITTINGS.

QUESTION.

MR. HIBBERT inquired, Whether it was the intention of the President of the Local Government Board to take the Valuation Bill at a Morning Sitting on Tuesday next?

MR. SCLATER-BOOTH : Yes, if the House will permit me to do so, in accordance with the Notice which my right hon. Friend (the Chancellor of the Exchequer) gave the other night.

MR. DILLWYN gave Notice that he would oppose the Motion of the Government for a Morning Sitting on Tuesday.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[BILL 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr William Henry Smith, The Judge Advocate General.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Secretary Stanley.*)

SIR HENRY HAVELOCK, in rising to move, as an Amendment, the following Resolution:—

> "That this House, while fully recognizing the acknowledged and undoubted right of the Crown to remove any officer from the Army at will and without trial, is of opinion that no officer accused of any military offence should be placed compulsorily upon half-pay, or removed from his appointment, either in consequence of the opinion or recommendation of a court of inquiry, or of the evidence given before such a court, without being first afforded the opportunity for the public investigation of the charges made against him, on sworn evidence, before a general court martial,"

said, that his proposal was not intended in any way to restrict the well-known Prerogative of the Crown. The Army of this country was a Royal Army—that was to say, every officer in it held his commission at the will of the Crown, who could at any time recall it; and he should deprecate in the strongest manner any change in those relations of the Army to the State. If there were to be any changes introduced, they would be in consequence of a continuance of the abuse to which he wished to call the attention of the House. The only other way in which, according to military law, an officer could be removed from the Army was by sentence of a court martial; but latterly a new tribunal had sprung into existence, altogether irregular and unconstitutional, which, while it professed only to make inquiries for the information of the commanding officer, yet, in reality, produced the same effect as a court martial, and passed final sentence upon an officer before he was regularly arraigned. That tribunal had been repeatedly condemned in former days by the highest military authorities at a time when military discipline was fully as firmly administered as at present. No notice was to be found of the practice to which he alluded in this military Code. The Secretary of State for War would probably say that his (Sir Henry Havelock's) Amendment concerning it was foreign to the scope of the Bill, for the reason that the Bill did not contain any mention of Courts of Inquiry at all. But that was the very matter of which he (Sir Henry Havelock) complained. This Bill professed to contain regulations with regard to the whole of our military discipline and the administration of our military law. Though the practice of holding Courts of Inquiry was so habitual as to have become part of the daily routine of our Army, it was maintained by some that that *quasi*-tribunal should be entirely ignored and left out of this Bill. He thought it was the duty of the House to take care that no portion of an acknowledged habitual military practice should be left out of the view of the Bill. The mode of selecting officers for a Court of Inquiry was not defined anywhere. The selection of them was left to the discretion of the commanding officer. On those grounds, the selection of officers was liable to very grave—he would not say suspicion, but, at all events, dissatisfaction. Then, again, there were four other objectionable features in the constitution of these courts—First, the officers composing the courts were not sworn; secondly, the witnesses were not sworn; thirdly, the accused person, if there was one, was not always afforded an opportunity of being present, and. consequently, he had no opportunity of cross-examining the evidence against him; and, fourthly, the decision of such courts, though it might form the basis of the future action of the authorities in regard to such accused person, was not in the majority of cases communicated to him. The hon. Member for Dundee (Mr. E. Jenkins) had spoken of a Court of Inquiry as a secret and irresponsible tribunal. He (Sir Henry Havelock) was bound to say that though in terms inaccurate, the allegation of the hon. Member was substantially correct. The Duke of Wellington, from the earliest period of his career, after having had much experience of Courts of Inquiry, had evinced a strong and decided dislike to them, and had said they ought not to be called courts at all. His unfavourable experience of them began with the inquiry in connection with the Convention of Cintra. He declared that when an officer did anything wrong he would send him to be tried, not by a Court of Inquiry, but by a court martial. His practice was in accordance with that opinion, and Lord Hill concurred with him in the view he took on the subject. Both of those distinguished commanders, he might add, entertained the greatest objection to placing officers penally on half-pay, against which his Resolution was also directed. Lord Macaulay was also opposed to the putting an officer on half-pay as a punishment. He might further observe that when it had been suggested that Courts of Inquiry should be allowed to take evidence on oath, the Duke of Wellington decided that they should not be permitted to do so, because they might, in consequence, be brought into rivalry with, and tend to supersede, the proper courts for the Army—general courts martial. If this objection prevailed before, it had double force now; for power was given by the Bill now before the House to the Secretary of State and the Commander-in-Chief, by a Court of Inquiry—that is, by a machinery of investigation not possessing any attribute of a judicial body—first of all, to put an officer on half-pay, under the operation of the Mutiny Act, as the result of proceedings initiated, they knew not by whom, and carried out secretly, and withdrawn from the purview and criticism of that House; and, secondly, it contained also the power of following a half-pay officer into *quasi*-civil life, and bringing up against him charges to be judged by military law. This double action would be taking away a Constitutional check which had hitherto guarded, under the scrutiny of the Representatives of the people, the rights and liberties of the subject in connection with the Army, and creating a despotism which he trusted the House would unanimously refuse. Under such a system, they would be relegated to an irresponsible authority such as never before existed in this country. For, as the proceedings of Courts of Inquiry had always been held to be privileged and confidential, it would be a sufficient answer on the part of the Secretary of State that the recommendation which he had made was in accordance with the decision of such a court to put an end to all discussion on the point. It would probably be urged that there were very few cases in which Courts of Inquiry operated unjustly, and he was very glad to admit that that was so; but that fact by no means diminished the hardship which had been suffered in those instances, which, though few, were enough to procure the condemnation of the system. If he were asked to cite one or two cases, he would mention, in the first place, the well-known case of Colonel Dawkins, into the merits of which he would not enter; but which had been aptly stated and described by the hon. Member for Finsbury (Mr. W. M. Torrens) in the year 1874. He (Sir Henry Havelock) must be understood as not having the slightest sympathy with the utterly indefensible language which that gentleman had latterly used; but he must point out to the House that, if anything could be held sufficient to justify it, it would be that, in the words of Lord Chief Justice Cockburn—

> "The position of military law and civil law which refused to take cognizance of acts done by military authority in relation to military discipline, have left him under a sense of intolerable injury and wrong."

The hardship of that case was that the offence with which Colonel Dawkins was charged was easily susceptible of proof, and might have been investigated by a court martial. It would have been better in that instance to have ordered a court martial than to have removed him from the Service on the recommendation of a Court of Inquiry; at any rate, if that course had been taken, both the grievance and the scandal would have been avoided. There was another and even more glaring case that might be mentioned—namely, that of Captain Hawtrey, an officer who had somehow incurred the displeasure of his superiors. He had served the country 28 years; for 14 years of that time as a private soldier in the ranks, and had obtained a commission as captain by his own merits—a circumstance which implied not merely that he was a man of steadiness and industry, but also of good character as well as capacity. That was proved by the fact that he held a responsible position as captain of orderlies at Netley, where the accounts that passed through his hands were of an important and considerable character. In 1874 Captain Hawtrey fell under the displeasure of his superiors, and his case was dealt with by a Court of Inquiry; but he was not asked to attend the court, or to cross-examine the witnesses against him. He was kept under arrest for seven months, and repeatedly, but in vain, asked to be allowed to see the allegations against him. He was never furnished with any statement of the charges made against him; and, as he (Sir Henry Havelock) was informed that an examination showed the perfect correctness and accuracy with which his official accounts had been kept, it was not clear on what the Court of Inquiry had based their recommendation that he should be directed to resign. He did send in his resignation under compulsion, and had not since been able to obtain any redress; nor had he received any reward for his long and faithful services. In the absence of other information, he could only give the officer's own statement as to the cause of his dismissal. He believed, he said, that he had made himself obnoxious to some person above him by his tenacity of opinion as to the quality of certain stores furnished, and that that led to the proceedings by which he had been so greatly prejudiced. It was, he contended, of the utmost importance that no officer should be placed on half-pay who should be accused of a military offence under this Act, or be removed from his appointment in consequence of the recommendation of any Court of Inquiry without having an opportunity first of meeting the charges made against him before a general court martial. When once such charges were made and challenged by the accused, it should be in the power of any officer to demand a court martial; and he hoped that before the discussion closed they would receive some assurance from the Secretary of State for War, that in future Courts of Inquiry would be more limited in their operation, that they would be recognized as a portion of our military law, and that rules would be framed for them which would prevent such hardships occurring as those to which he had referred. The Resolution he was about to move was moderate and limited in its scope. It would leave the Royal Prerogative untouched in any degree. It did not seek the abolition of Courts of Inquiry, which, in their proper place and performing their proper function of preliminary investigation, were useful bodies; it only sought to establish that they should not be substituted for courts martial in judicial investigation. What it sought was that henceforth officers should not be placed outside the pale, and beyond the protection, of the law. If the Crown removed an officer without reason assigned, he could return to civil life without an irremovable stigma upon his character; but if removed after a secret inquiry, he would be rendered, as it were, an outcast, and for the residue of his life would be subject to an irremovable stigma, because he would have had allegations made against him and acted upon, without his having been afforded an opportunity of meeting his accusers face to face. The anomaly of the case he had made out was made still more glaring by the fact that the status of a private soldier under the Bill was very different from that of an officer. His rights in this matter were scrupulously guarded. The private soldier could appeal to a court martial if his pecuniary interests were affected to the extent of a single shilling; but the officer was obliged to leave that which he valued even more than his life—his honour and his social position—to the decision of a Court of Inquiry. He need scarcely add that nothing he had said was intended to reflect upon the military administration of His Royal Highness the Commander-in-Chief. He did not desire to pay any compliments; but he must say he believed that the general fairness and justice of the military administration of the country would stand the closest scrutiny and comparison with that of any other Army in the world. Every officer in the Army knew the conscientious minuteness with which His Royal Highness endeavoured to make himself acquainted with the details of every case brought before him—a fact which gave entire confidence and met with the full acquiescence of every officer of the Army. Nor was it intended in any way to reflect upon the Secretary of State for War, who, he believed, if left to deal with this question, would do so in the direction suggested by his Resolution, which was directed against what he might call the secret use of an irresponsible power, set going they did not know how, or by whom, and by which the reputation and character of an officer previously unstained and unsullied might be whispered away without any opportunity being afforded him of being heard in his own defence. No doubt, Courts of Inquiry, if used properly, were very useful; but, in his humble judgment, it was desireable that a clause should be inserted in the Bill clearly defining what the functions of such courts were. The British Army had nothing to be ashamed of; it had nothing to hide. There should be no part of its practice, therefore, that was underhand and concealed. He begged, in conclusion, to move the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while fully recognising the acknowledged and undoubted right of the Crown to remove any officer from the Army at will and without trial, is of opinion that no officer accused of any military offence should be placed compulsorily upon half-pay, or removed from his appointment either in consequence of the opinion or recommendation of a court of inquiry, or of the evidence given before such a court, without being first afforded the opportunity for the public investigation of the charges made against him, on sworn evidence, before a general court martial under the provisions of this Bill,"—(*Sir Henry Havelock*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR WILLIAM HARCOURT said, he rose thus early in the debate, in order to clear up the points on which they agreed and those on which they disagreed. He would commence by premising that there were some points in connection with the subject under the consideration of the House about which there could be no difference of opinion. It must be admitted that there was a very strong feeling in the Army, and out-of-doors, that Courts of Inquiry were sometimes employed for purposes for which they ought not to have been employed, and that the system in reference to these Courts of Inquiry ought to be changed. They were all agred upon those points, and the only question was, how the evil was to be remedied. They were all agreed that Courts of Inquiry ought to be made the subject of regulations which every officer should know and understand, and that those regulations should lay down the cases to which Courts of Inquiry should apply, the manner in which they should be conducted, and the consequences which should follow their decisions. They were also agreed that the charge brought before a Court of Inquiry should be communicated to the party affected by it, and that the party affected should be heard in his own defence. He was of the same opinion as his hon. and gallant Friend who had just sat down (Sir Henry Havelock), that these courts should be recognized as part of our military administration. He was far, however, from accepting the Resolution of his hon. and gallant Friend, because in that Resolution he asked, in point of fact, what was quite a different thing—namely, that no man should be removed from an appointment or placed on half-pay without a court martial.

SIR HENRY HAVELOCK: I expressly guarded myself on that point. My desire is that no man shall be removed from an appointment, or placed compulsorily on half-pay, who has been accused of a military offence under this Act, without a court martial.

SIR WILLIAM HARCOURT said, then the argument of his hon. and gallant Friend came to this—that the greater penalty of dismissal might be inflicted without trial; but when they came to minor offences and their penalties, an officer would be entitled to a court martial. He could not see how such a Resolution could be accepted by the House.

He failed to see the logic of a proposition, in accordance with which a man might be removed altogether from the Army without the assignment of any cause, and without resort to any tribunal, while he could not be removed from an appointment for which he might be totally unfit without the interference of a court martial. Surely courts martial were not to be confined to putting a man on half-pay or removing him from his office. These were not really courts. The term "court," as applied to inquiries of this nature, was as a great a misnomer as that other unfortunate term, "Judge Advocate," applied to a man who was not a Judge at all. As he understood the question, a Court of Inquiry ought never to be resorted to in any case in which a court martial was applicable. If that principle were only laid down, as he hoped it would be, the object of his hon. and gallant Friend would be obtained. Those cases only should be sent to Courts of Inquiry which were not fit for trial by a court martial. To put a hypothetical case—suppose it to be alleged to the military authorities that a particular officer suffered from such infirmity of temper as to make him unfit for command—and surely there was no case in which it would be more necessary to remove the individual from the Army—that would be a case not triable by a court martial, but triable by a Court of Inquiry. According, however, to the principle of the Resolution, such an officer could not be removed from his appointment without a public investigation of the charges made against him on sworn evidence before a general court martial. To lay down such a principle as that would, he thought, be to destroy the discipline of any Army in the world. How could such an officer as he had referred to be removed at the present time? He could be removed simply on the authority of the Crown, by the authorities striking his name off the list without reason assigned. Why should that course be preferred to a resort to a Court of Inquiry properly constituted? His hon. and gallant Friend said that less stigma attached to the name of a man who was struck out of *The Army List* without the interference of a Court of Inquiry than to a man whose case was tried by such a court. He, however, failed to see how that could be so. A Court of Inquiry would be properly and legitimately used in such a case as that which he had supposed, and he could not conceive how such courts could be dispensed with in similar circumstances. It was far better that a man should be removed by the advised act of the authorities than by their unadvised act. He quite agreed that Courts of Inquiry should never be permitted to be substituted for courts martial. A man might be removed from an appointment for many causes which were not triable by courts martial, and for such cases Courts of Inquiry must continue to exist, unless, indeed, it was to be laid down that a man could not be deprived of an appointment or situation in the Army except for misconduct. The adoption of such a principle as that would be to revolutionize the tenure of every post in the British Army, and to turn it into a tenure "*quamdiu se bene gesseret.*" He saw no necessity for incorporating such regulations as were proposed in an Act which was to deal solely with military offences. Such offences ought to be dealt with by the military authorities, and if any plan was adopted which would alter that plan, it could only have the effect of weakening the authority of courts martial—a circumstance which could only be deplorable. Beyond that, Courts of Inquiry might very well be kept out of the measure as statutory tribunals; and if they were to be dealt with at all, he would suggest that the Secretary of State for War should undertake to deal with them in another measure.

COLONEL STANLEY said, he demurred to the Amendment of the hon. and gallant Member for Sunderland (Sir Henry Havelock) for the reasons which had just been stated by the hon. and learned Member for Oxford (Sir William Harcourt). He admitted the desirability of placing it upon record, and beyond all doubt, that Courts of Inquiry, whatever might be their application for legitimate uses, were not to be strained so as to supersede courts martial. He was, further, willing to admit that if in the course of an inquiry circumstances should indirectly come out affecting the character or conduct of any officer or officers, sufficient to justify further examination, it was not to be understood that the mere holding of that inquiry, because it might directly refer to another subject, would bar proceedings by court martial. He was bound, however, to reserve the power of the Crown to dispense with the services of any soldier or officer, even without trial; but he thought that where Courts of Inquiry had assumed the judicial function they had gone beyond their duty. He had gone very carefully into the question; and had endeavoured to ascertain whether rules could be made for the guidance of Courts of Inquiry which, although they might not be embodied in the Bill, might nevertheless be equally operative. Rules in a rough form had been drawn up; and under them it would be provided that a Court of Inquiry should not be a judicial body; that it could not examine witnesses on oath; and that it should not have the power of compelling the attendance of witnesses; but that its duties should consist in collecting evidence, as far as it possibly could, and in reporting facts on any matter connected with the service upon which the officer in command might have a difficulty in arriving at a conclusion. Another point which would be provided for was that, if practicable, the person concerned in the result of the inquiry should be present during the whole time that the witnesses were being examined; but that, should he object to be present, the proceedings could nevertheless go on in his absence. To such regulations he was willing to agree, but could not accept the Amendment of the hon. and gallant Gentleman. He hoped the House, with that understanding, would be allowed to go into Committee. With regard to the placing of any rules on the subject within the Bill itself, he shared the doubt which the hon. and learned Member for Oxford had expressed upon that point. His fear was that if they were to lay down in the Statute any rules for Courts of Inquiry, in order to guard against one evil, they might fall into an even greater evil by giving those Courts a statutory weight and importance which they did not at present possess. The matter had been considered over and over again; and it had been decided that, as there might be a great fear of Courts of Inquiry clashing with the legitimate functions of courts martial it was better, upon the whole, to withhold from the former anything like a *quasi*-judicial character.

Mr. E. JENKINS regarded the statement of the right hon. and gallant Gentleman as satisfactory, so far as it went; but he thought that upon this subject the Government might have gone a little further. Indeed, he thought that the right hon. and gallant Gentleman the Secretary of State for War had not addressed himself particularly to the real point which had been raised by the hon. and gallant Member for Sunderland (Sir Henry Havelock), which was the question of the dismissal of officers without any court martial being held. His hon. and gallant Friend pointed out that the Courts of Inquiry were used for other purposes than those which they ought to be used for, and demanded that the abuses should be removed. They ought to insist upon the principle that a Court of Inquiry should not be the final Court; but that an officer charged with a military offence should be entitled to demand a court martial. The question was this—was it a good thing, granting the Prerogative right of the Crown, and admitting that there might be cases in which an officer from temper, or other instances, ought to be asked to withdraw from the Service, ought the Crown not to exercise that Prerogative on its own responsibility, and not shelter itself behind the irresponsible proceedings of a Court of Inquiry? It could not be wrong to place restrictions upon cases where Courts of Inquiry were to be held, and he had no objection to their being used preliminary to trials, in the same way as were Grand Juries. He urged the Government to adopt the Motion of the hon. and gallant Member for Sunderland, and that the result would be that we should have justice done to every officer and soldier in the Army, as that was the only means by which they could disabuse the public mind of that feeling which at present prevented men from entering the Service.

Sir WALTER B. BARTTELOT sympathized with all that his hon. and gallant Friend the Member for Sunderland (Sir Henry Havelock) had said. He had put the whole question temperately and fairly, for there was no denying the fact that a great grievance had been felt in the Army with reference to these Courts of Inquiry. Strong cases could be produced, in which Courts of Inquiry had been used far beyond their legitimate functions, and great injustice had been the result. His hon. and gallant Friend had, therefore, done good service by placing the Resolution on the Paper, and giving the House an opportunity of quietly and calmly discussing the question of how far officers were, under the present system, exposed to hardships.

He was also bound to say that the hon. and learned Member for Oxford (Sir William Harcourt) had placed as fairly before the House as it could be done that all offences that ought to have been tried by court martial should not have been relegated to Courts of Inquiry. His right hon. and gallant Friend the Secretary of State for War, however, having accepted the principle of the Amendment, reserving certain rights and Prerogatives, which ought to be reserved to the Crown, of dismissing from the Service officers who, although not guilty of any military offence, might be in other respects unfit or unworthy to hold a commission, it would be impossible to pass the Amendment, which would give an officer power to retain his commission, unless a court had absolutely condemned him. If his right hon. and gallant Friend would consent, before the third reading of the Bill, to place on the Table the Resolutions he proposed to introduce to regulate the proceedings of Courts of Inquiry, they would be able to discuss them, and so might get rid of the Amendment, and be allowed to go into Committee.

COLONEL MURE said, that Courts of Inquiry could not pronounce a verdict; but the Reports influenced those who had to use the Prerogatives of the Crown.

COLONEL STANLEY said, that the Notice he had read he proposed to embody in a Circular, or some other way, and expressly state that when an officer's conduct and character came under investigation the Courts of Inquiry should only report facts.

COLONEL MURE said, that the whole matter lay in a nutshell. What was wanted was, that in cases where an officer's conduct or temper had an evil effect upon his company or regiment—a matter on which the superior authority could not frame a distinct charge in order to bring him before a court martial—the Prerogative of the Crown should be exercised quietly, without incurring the scandal which had hitherto accrued from the proceedings of Courts of Inquiry, which irregularly and most unfortunately had gradually assumed the functions and powers of courts martial. But cases where there was a specific and culpable offence, such as embezzlement, so repulsive to every honourable mind, ought to be tried by a court martial; and there were other cases—where, for instance, an officer had disobeyed an order—which should also be tried by court martial, it being clear that such a case was not one for the exercise of the Prerogative. There were cases in which the Prerogative of the Crown could not be exercised, and there were cases of great social scandal which came before other Courts, and in which the whole of the evidence ought not to be gone over again. In short, it was very difficult, although very desirable, to lay down clearly and distinctly in an Act of Parliament what cases should be dealt with by Courts of Inquiry, what by Prerogative, and what by courts martial; but cases of grave public scandal could wisely be dealt with by the exercise of the Prerogative, and were not always cases for court martial.

SIR WILLIAM FRASER: Sir, the argument of the hon. and learned Member for the City of Oxford seems to me to be more forensic than logical. If we admit that the larger contains the less, there might be force in this argument; but in this case we cannot admit that, for it is not the fact. If the Crown should, because it has the power of dismissing an officer completely from the Army, be given the power to place him upon half-pay, this objection could be raised. To cashier an officer and absolutely ruin him, he must be found *flagrante delicto*, caught red-handed. In these days—and in any day—no Minister, I hope, could be found to advise the Crown to ruin an officer, except under these circumstances. But to reduce him to half-pay," and to "put him away privily," would not be a difficult matter, nor would it excite public indignation or even public attention. We must consider that in these days great pressure can be brought to bear upon a Minister, in Parliament and outside. There was a case not many years ago, which excited immense attention for many months, where public feeling was so excited, and so unjustly excited, against an officer that had he not been, fortunately for him, in India and not in England, his life would possibly have been sacrificed. One Member of this House, at any rate, is not likely to forget the circumstances under which he defended that officer. We will suppose a Government, not as the present is, as we saw a few nights ago, with a large majority in this House, but a weak, tottering Government. Suppose powerful excitement to exist out-of-doors, and the Government to be on its last legs, what chance would an officer have of justice if the Minister were empowered by law to reduce that officer from full-pay to half-pay; and reduce him from enough to live upon to absolute want? I will quote a case, because the leading facts are well known, because this case is historical, because it will for ever be a disgrace and an example of public injustice—I allude to the case of Admiral Byng. He was found guilty of not doing enough, when attacking the French off the Island of Minorca. An error of judgment was all that he could be found guilty of; a braver man never lived. Under the 12th Article of War he was found guilty; and notwithstanding the strong recommendation to mercy from the court martial, he was sentenced to death; such being the penalty imposed by the above Article. The court martial went further; they petitioned to be allowed to disclose their individual sentiments, and an Act was passed through this House in one day to free them from the compulsion to secrecy of their oaths. It was carried to the Lords; but pressure being put on by the base Government of that day, the Bill was thrown out, and Admiral Byng was shot. Now, Sir, what has occurred may occur again, and I believe it to be one of the first duties of this House to protect the lives, and, what is more important, the honour, of British officers. We know that by law now, the private soldier cannot be mulcted of his pay for a single day without the sentence of a court martial. But these Boards, appointed without the power of taking evidence on oath, have practically, though not theoretically, the power to deprive an officer of what may be essential to his existence and that of his wife and children.

Sir ALEXANDER GORDON said, whatever might be the opinion of the House, he was not satisfied with the statement of the right hon. and gallant Gentleman the Secretary of State for War, inasmuch as the course suggested by him did not give the party accused the right of demanding an opinion from the Court of Inquiry, nor the right of trial before a sworn court upon sworn evidence, if that opinion should be adverse to him. Nothing less than this, he (Sir Alexander Gordon) thought, would be just to the officers and soldiers of the Army. Nor had the right hon. and gallant Gentleman placed upon the Table the Amendments by which the Bill that the House was that day asked to pass was to be brought within the limits of the Constitution. He had, however, admitted that the Bill was contrary to the Constitution of the country, and altered the relations at present existing between the Crown, the Army, and Parliament, and had stated that when Clause 178—the last enacting clause—was reached, he would tell the House how he proposed to make the Bill agree with the Constitution of the country. But this was not the proper way to treat the House, because it gave no time to hon. Members for considering the Amendments that would be proposed. Again, the right hon. and gallant Gentleman had stated that the wording of his Amendment would be the same as in that portion of the Mutiny Act which related to the Prerogative of the Crown. But he (Sir Alexander Gordon) could not understand that the Prerogative of the Crown was alluded to in the Mutiny Act at all; the reference was, therefore, incorrect. Courts of Inquiry were not according to the Law of England; he therefore objected to them, unless they were placed under statutory control, and maintained that the Crown had no right to act as Judge. Neither had it the right to say to a man, "You are guilty of misconduct," without giving that man an opportunity of being fairly tried according as the forms of the country demanded. He would not contest the power of the Crown to say to an officer or soldier, "The nation no longer requires your services, and, therefore, dispenses with them." That was a very different thing; and, besides, under that rule, a man was entitled to, and would receive, his pension, or whatever allowances he might have earned by long service. But he did contest the right of the Crown to condemn a man without a hearing. This question had always been debated upon the assumption that Courts of Inquiry had been long in use in the country; but it would be his endeavour to show that they were quite of recent origin. In the first place, he would refer to the King's Regulations which he held in his hand, and which were enforced in the Army at the time when he joined it, exactly 45 years ago that day. That volume contained no allusion whatever to Courts of Inquiry, nor did allusion to them exist in any Regulations until the year 1857, the first year of the rule of His Royal Highness the present Commander-in-Chief, up to which period Courts of Inquiry were not known, not recognized, and not approved. The hon. and gallant Member for Sunderland (Sir Henry Havelock) had informed the House that the Duke of Wellington and Lord Hill always set their faces against Courts of Inquiry, and maintained that a court martial was the proper mode of dealing with offences according to Act of Parliament. In order to show that what he (Sir Alexander Gordon) had stated with reference to Courts of Inquiry was strictly in accordance with law, he asked hon. and learned Members to refer to Comyn's *Digest of the Law of England*, D. 29, which laid down that—"The King cannot grant a Commission for Inquiry only, without power to hear and determine." It was this power of hearing and determining that was according to the law of England, and had ever been so since the time, he believed, of Edward III. Again, it was laid down in Vol. 7 of *Coke's Reports*, 12 R, 31—"That Commissions to receive evidence were appointed by King James I. somewhere about 1603." Objections having been taken to these, on the ground that they were contrary to law, the Commissioners having no power of hearing and determining, but only to inquire, the King's Ministers took the case to the Courts, where it was disputed, and came before two Chief Justices and seven other Judges, in 1607, who gave it as their opinion that—

> "The said Commission was contrary to law, for that it was only to inquire which is against the law, for by this a man may be unjustly accused by perjury, and he shall not have any remedy; for this, that it is not within the Statute 5 Elizabeth, &c.; also that the party may be defamed and shall not have any traverse to it, and no such Commission ever was seen to inquire only (*i.e.*, of crimes)."

That principle had been acted upon until the year 1857, when Courts of Inquiry were placed in the Queen's Regulations, with power to inquire but not to determine. But that power was contrary to the law of the land, for the words "oyer and terminer" were an expression of the law that no man should have his cause brought before any Court that was not competent to hear and determine. Again, it was laid down in *Chitty on Prerogative*, "Fountain of Justice," that—

> "The King cannot authorize anyone to holds Courts of Justice in a manner dissimilar to that established either by the Common or Statute Law of the land. It is a still more important principle that the King cannot legally authorize any Court to proceed contrary to the English laws, or by any other rule."

Now, these Courts of Inquiry, appointed by the Crown, did go against the Mutiny Act passed every year, because that Act stated that "all offences committed shall be tried by court martial." *Chitty* went on to say—

> "Neither can the King grant any new Commission which is not warranted by ancient precedents, however necessary or conducive to the public good it may appear to be."

The House would therefore see that all the highest legal authorities were against the legality of Courts of Inquiry. He would now, with the permission of the House, refer to a circumstance related in the *Parliamentary History*, vol. 9, page 335, with regard to the King's Prerogative. The case was this. In the year 1734, the Duke of Bolton and Lord Cobham had voted against the Excise Bill of Sir Robert Walpole. In consequence of this, they were removed from their positions in the Army. Being Members of the House of Commons, the House took up the question, and a Bill was brought in to prevent such a thing being done again, the Ministry resisting the Bill. Upon that occasion, Lord Chesterfield said as follows:—

> "There is no power to be taken from the Crown but that power which the Crown ought never to make use of. It is certain that the Crown ought never to take an officer's commission from him, but from some very sufficient reason, and upon full proof of the facts alleged against him; and, therefore, all that is proposed by this Bill is only a method by which the Crown may get such information as to facts alleged as may be depended on. Can this, my Lords, be called a diminution of the power of the Crown? Is it not plainly and directly grounded upon the fundamental maxim of our Constitution, which says that the King of England shall have it in his power to do as much good as he pleases, but shall not have it in his power to do wrong?"

And Earl Bathurst also said, to the same effect—

> "It (the Bill) would in reality have given the officers no further right to their commission than they have at present; for it is certain that every officer has now a right to his commission as long as he behaves well, and the corps to which he belongs is kept entire. No officer ought or can justly be turned out of his bread as long as he behaves well; and all that was proposed to be done by the Bill was to subject the behaviour of an officer to the

judgment of a Court Martial or a House of Parliament, instead of leaving it subject to the judgment of Ministers."

All that showed that more than 100 years ago they were in advance of us in dealing out justice to the officers of the Army; and let it be borne in mind that the question was not one relating to a military, but to a political offence. Of course, we now condemned the conduct of those Ministers very severely, and no man would now get up to support such a proposal as was then put forward; but he (Sir Alexander Gordon) also believed that after-generations would condemn us for removing officers from the Army without giving them an opportunity of presenting a defence. It had been said that Lord Palmerston was in favour of this mode of removing officers; but the words of Lord Palmerston were these—

> "If there were any Prerogative of the Crown indisputable or undisputed, it was that of holding the right of dismissing an officer from the Army without assigning any reason."

Those words were of importance, although they appeared to contest the rule of 100 years ago. But he (Sir Alexander Gordon) was not one to contest the right of the Crown to dismiss an officer in the Army in that way—that was, "without assigning any reason." What he objected to was that the Crown should condemn a man unheard, and assign that condemnation as a reason for his removal. What he had to deal with was the introduction of Courts of Inquiry, which the House would see were nothing but a modern innovation. He would point out what was the first Order with regard to them in 1857. It was in the Queen's Regulations, and provided that—

> "With a view to prevent any officer who may have been taken prisoner by his own neglect, or by any other unofficer-like conduct, from obtaining any of the advantages laid down in the Royal Warrant, a Court of Inquiry is as soon as possible to be assembled, by order of the general officer commanding the forces, to investigate the circumstances under which the capture took place. After having sifted the facts as far as may be in its power, the Court is to state its opinion whether his capture is to be attributed to the chances of war to which he was exposed, or whether it occurred from any unofficer-like conduct on his part. The President and members of the Court are to make the following declaration previous to commencing the proceedings."

And then followed the declaration, the wording of which was almost the same as an oath—

> "I, A.B., do declare, upon my honour, that I will duly and impartially inquire into and give my opinion as to the circumstances under which Captain C.D. became a prisoner of war, according to the true spirit and meaning of Her Majesty's Order and Regulation on this head, and I further declare upon my honour that I will not upon any account or at any time disclose or discover my own vote or opinion, or that of any particular member of the Court, unless required to do so by competent authority."

With all due deference, he was of opinion that the whole of these proceedings were contrary to the law of England; for here was the Crown establishing a Court to try an officer, and perhaps find him guilty of unofficer-like conduct, which would entail upon him, besides, certain disabilities with regard to advantages to which he might be entitled. It was true the president and members were not ordered to take an oath; but they were ordered to make a declaration, which, of course, to an officer and gentleman, would be precisely the same thing; it would make no difference to him whether he had to take an oath or make a declaration. Observe, also, that the members were bound to secrecy. In this manner had Courts of Inquiry crept in, and had been much in use as semi-official Courts for the purpose of condemning officers of unofficer-like conduct. But strange to say, when this Order was given, the Articles of War provided that the specific offence referred to should be decided upon by court martial; so that they had the Regulations of the Army going directly against the Articles of War. With regard to the Crown having power to dismiss officers without trial, it had been stated by the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt) that such power was exercised in the case of foreign Armies; but he (Sir Alexander Gordon) contended that that was not so. He could not find that an officer in any foreign Army could be dismissed without being subjected to a court martial. The United States had, almost word for word, adopted our Mutiny Act and Articles of War, and retained them to the present day, without making any but trifling changes. The House, he thought, should bear this in mind, and they would see that the old Mutiny Act which they were now asked to set aside was not, after all, so very bad. In July, 1862, the Congress of the United States passed an Act in these words—

> "That the President of the United States be and hereby is authorized and requested to dismiss and discharge from military service, either in the Army, Navy, Marine Corps, or Volunteer Force in the United States Service, any officer for any cause which, in his judgment, either renders such officer unsuitable for, or whose dismission would promote, the Public Service."

That was very like the clause the House was now asked to pass. But what did the United States do, three years afterwards? They were so ashamed of this piece of legislation for the Army that they enacted in March, 1865—

> "That in case any officer of the Military or Naval Service who may be hereafter dismissed by authority of the President shall make an application in writing for a trial, setting forth under oath that he has been wrongfully and unjustly dismissed, the President shall, as soon as the necessities of the Public Service may permit, convene a court martial to try such officer on the charges on which he was dismissed. And if such court martial shall not award dismissal or death, as the punishment of such officer, the order of dismissal shall be void. And if the court martial aforesaid shall not be convened for the trial of such officer within six months from the presentation of his application for trial, the sentence of dismissal shall be void."

He asked for the officers of the British Army that the same rule should apply to them; and there could be no reason why we should not adopt so salutary and just a regulation. He held in his hand a letter which was sent to the officer whose case had been mentioned by the hon. and gallant Member for Sunderland (Sir Henry Havelock). It was to the effect that the Field Marshal Commanding-in-Chief, having had the proceedings of a Court of Inquiry brought under his notice, had determined as follows:—

> "I have the honour to inform you that His Royal Highness, with the concurrence of the Secretary of State for War, has come to the conclusion that, in view of the facts divulged in the investigation which has taken place, no other course is to be pursued towards —— than to remove him from the Service. —— will, therefore, be called on to resign his commission, failing which his summary dismissal will be proceeded with."

This was an entirely new system which had been introduced during the last few years, and it was most unjust to force an officer to take a step which shut the door against any remedy. In this particular case, however, the officer objected, and he was gazetted out of the Army; but so weak was the case, as I imagine, that after being two years out of the Army, a letter was written to say that if he would send in his resignation he should have a pension of 2*s.* a-day for one year. Actuated by that bribe, he sent in his resignation, and *The Gazette* was altered to the effect that he had resigned instead of having been removed. This officer might have been guilty of the grossest misconduct; indeed, he (Sir Alexander Gordon) knew not of what it consisted; but this he knew—it appeared that there had been committed a great iniquity, and the authorities sought to clear themselves from the suspicion of injustice. In answer to a complaint of the officer—under arrest for 111 days in order that he should be tried by court martial for embezzling public property—who had written, asking that he might be tried, or might have a copy of the charge which was to be made against him, the reply given, under direction of His Royal Highness the Commander-in-Chief, was to the effect

> "That the letters which the officer had forwarded to the General Commanding in the district had been duly submitted to His Royal Highness, and their contents had received his most careful consideration; that an investigation into certain matters connected with the station was then being carried on by the orders of His Royal Highness; that until its result was reported to the Army Headquarters, His Royal Highness could not decide finally on the officer's case."

And it was added—

> "That as the officer was under arrest at large, His Royal Highness did not consider that he was exposed to any unusual hardship or subjected to any exceptional treatment."

He had doubted the possibility of His Royal Highness telling a man who had been under arrest for 111 days, not being allowed to go out of barracks, except by special permission, on the painful charge of having embezzled stores, that there was nothing unusual in the treatment which he had received; and he, therefore, had obtained the original letter which he held in his hand. A more extraordinary proceeding he had never heard of, and, therefore, not being content to leave such cases to be dealt with by Courts of Inquiry, he asked Parliament to legislate in the simple and plain way indicated by the terms of the Amendments to the 46th clause of the Bill of which he (Sir Alexander Gordon) had given Notice—namely—

> "Whenever a court of inquiry is assembled to investigate any matter affecting the conduct or character of an officer or soldier, such officer

or soldier shall be entitled to receive a copy of any opinion which may be delivered by such court; and, if the officer who convenes the court of inquiry shall prefer to instruct the court to receive evidence only and not to deliver an opinion, the officer or soldier whose conduct or character has been called in question shall be entitled to demand that the officer who convenes the court of inquiry shall himself deliver an opinion upon the matter which has been the subject of investigation, and a copy of such opinion shall be delivered in writing to the officer or soldier concerned.

"And further, any officer or soldier who, after such investigation, is not fully exonerated from blame or culpability by the opinion of a court of inquiry, or by the officer who convened the court, shall be entitled to demand that he shall be placed upon his trial before a court martial, in order that the matter which has been the subject of investigation by the court of inquiry may be inquired into by a court competent to receive evidence upon oath, and of which the members composing it are themselves bound by the sanctity of an oath, and at any trial by court martial following upon evidence taken at a court of inquiry, the prisoner shall be entitled to have access to the evidence so taken."

With regard to the infirmities of temper from which officers suffered, and which had been so much spoken of, he thought the proper course was to deal with them through the general officer in command, and not by means of a Court of Inquiry. It had been his misfortune, having had under his command nearly half of the Infantry, sometimes to be obliged to report officers as unfit for command; and in those cases he had made it a rule to tell the officer in question that he was unfit for promotion. A Report was then forwarded to the Horse Guards, and the Commander-in-Chief disposed of the case in the way in which he thought proper. In conclusion, not being satisfied with the statement of the right hon. and gallant Gentleman the Secretary of State for War, he should certainly vote with the hon. and gallant Member for Sunderland.

Colonel ALEXANDER said, he considered the question brought forward by the hon. and gallant Member for Sunderland (Sir Henry Havelock) to be one of great importance, and he was glad that he did not desire to deprive the Crown of the right, which it legitimately and advantageously exercised, in the occasional summary removal of officers of the Army. It was true that that power was most arbitrarily exercised in the last century; but such an abuse could not possibly occur now. A case of the summary removal of an officer was now very rare, and it could only happen under the direct responsibility of the Commander-in-Chief. There was an instance of an officer who was so removed for cheating at cards. The facts were so notorious as to render a Court of Inquiry or a court martial superfluous; and a notice was inserted in *The Gazette* that the Queen had no further occasion for the services of an officer who brought disrepute on the Service. The hon. and gallant Member for Sunderland, like himself (Colonel Alexander), did not object to a Court of Inquiry *per se*, but only to such a Court being diverted from its legitimate function of investigation, and being required to perform *quasi*-judicial duties for which it was manifestly unfitted. Its members were few in number, and were not bound by oath; they did not even take a declaration of impartiality or of secrecy as to the vote of any particular member; no oath was ever administered to the witnesses; and it had lately been ruled by the Court of Queen's Bench that, even assuming that there was malice on the part of a witness, he was protected from the consequence of any statement he might have made. The evidence was also often entirely *ex parte*. A Court of Inquiry, therefore, should precede and not supplant or usurp the function of a court martial. The definition given by the eminent statesman, Mr. Windham, of a Court of Inquiry was that the members were sitting as advisers, not as judges, and that their duties were analogous to those of a Grand Jury, who had simply to decide whether the matter ought to be submitted to Judges or not. The late Duke of Wellington, when Sir Arthur Wellesley and a Member of that House, in speaking of such a Court, hoped that would be the last Court of the kind that would ever assemble, as, without blaming any of its members, it was not a Court before which any officer would desire to be tried. That testimony, coming from so high an authority, ought to be laid seriously to heart. In conclusion, he trusted that in future Courts of Inquiry would be restricted to their legitimate function of informing the Commander-in-Chief whether a *primâ facie* case had or had not been made for arraigning the accused before a general court martial—the only tribunal possessing the confidence of officers of the Army.

Major O'BEIRNE insisted on the necessity of reform in regard to these

Courts of Inquiry, which were often most unjust and unsatisfactory in their formation. In Colonel Carter's case, the President of the Court of Inquiry was the brother-in-law of his enemy, Colonel Jerome, and another member of the Court was a personal friend of that officer. Anything more unfair could not be imagined. Reference had been made by the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) to what took place in the early part of the 18th century, when Sir Robert Walpole was Prime Minister, and when some officers were dismissed the Service for giving a vote adverse to the Government; and it had been said that there was no mixing themselves up with politics on the part of the military authorities now-a-days. There could not be a greater mistake than to believe any such thing. He (Major O'Beirne) held in his hand the volume of *Hansard* containing a report of the speech of the then Secretary of State for War, now Viscount Cranbrook, to the House of Commons in 1876, wherein the noble Viscount made the grossest possible misrepresentations as to what happened at the Curragh in regard to himself (Major O'Beirne). He would, however, admit that the noble Viscount was not at the time conscious of the misrepresentation. The noble Viscount, in fact, had telegraphed to the General, and the General had the audacity to say that he (Major O'Beirne) did not take the trouble to get leave. What had happened, however, was this—that, first of all, his politics were denounced as discreditable. When he asked for leave they granted him 48 hours only; whereas the general practice, when an officer had urgent business, was to give him eight or ten days extra, conditional on his being liable to be recalled by the General. They played a game of shuttlecock and battledore with him, whilst every facility was given to his Conservative opponents, and but for the exertions of his hon. and gallant Friend the Member for Galway (Major Nolan), and others, he would never have got away to the Election at all.

Mr. SPEAKER: I am bound to say that I fail to see the connection between the observations of the hon. and gallant Member and the Amendment before the House.

Major O'BEIRNE said, he was going to prove that the military authorities in the present day did take a very active part in politics; and he had an Amendment on the Paper, in which he stated—

> "It is neither expedient nor desirable that Officers on half-pay, or on retired full-pay, or in receipt of pension, should be subject to the provisions of the Army Discipline and Regulation Bill, whilst the active interference of the Military authorities in politics is regarded either with indifference or approval by the Commander in Chief of the Forces."

He was going to show, from personal experience, that they did interfere.

Sir WILLIAM FRASER: I rise to Order. Surely, Sir, the hon. and gallant Gentleman is not in Order in addressing the House now on his Amendment, which stands subsequent to the one we are discussing?

Major O'BEIRNE said, he was speaking on it now to save time, as he was anxious that they should get into Committee. After the difficulty he had had in getting away to the Leitrim Election, the command of a military brigade depôt became vacant, and the War Office passed over 34 colonels of Infantry, who had retired in the years 1874-77, in order to give the command to a Cavalry officer, on political grounds. He admitted that that officer was a very painstaking and efficient man—having served under him, he knew that very well—but still there was the fact that the authorities passed over 34 Infantry colonels to give him that post, on account of his political services in having thrown every possible obstacle in his (Major O'Beirne's) way at the Leitrim Election. Such facts as these ought to open the eyes of the House of Commons, and induce them to hesitate before placing officers on half-pay under the jurisdiction of these Courts of Inquiry. He could foresee very plainly that they might be used for political purposes. When the military authorities thought a man's politics objectionable, they might institute a Court of Inquiry about him on some vague charge of "conduct unbecoming an officer and a gentleman." He knew the authorities thought his own politics objectionable; but what must they think of the hon. Member for Dundee's? If an hon. Member who was on half-pay or retired full-pay were placed under this Bill, he might, just when wishing to start for a contested Election, find a Court of Inquiry ordered respecting him, and thus be put to great injustice. In order to provide a remedy for such a proceeding, he should vote for the Motion of the hon. and gallant Baronet the Member for Sunderland.

MR. HERSCHELL said, that there was a great deal of agreement in respect to most of the points brought forward for discussion, and, therefore, a decision might very easily be now arrived at, considering the time that had been spent over the subject. No one proposed to take away from the Crown the Prerogative of dismissing an officer from the Service without assigning a reason. It had not been suggested that Courts of Inquiry, if kept within their due limits and exercising certain functions, might not be a useful machinery. Everybody agreed that they might be, and were, grievously abused for the trial of offences; but harm was done occasionally by all Courts, and the abuse would be prevented, if it could be declared that Courts of Inquiry should not be used for inquiring into offences triable by court martial; and if such a regulation were promised, the Amendment might well be withdrawn.

MR. ASSHETON CROSS said, he entirely agreed with the suggestion made by the hon. and learned Member for Durham (Mr. Herschell), which had put the matter into a nutshell. It was admitted that the Prerogative of the Crown must be maintained for the benefit of the Army; that Courts of Inquiry were of assistance to commanding officers; and that they might be and had been abused; and the only question was, whether Courts of Inquiry could be restricted to their legitimate functions and not substituted for courts martial. The hon. and gallant Baronet (Sir Alexander Gordon) wished to do away with these Courts altogether; but he did not think that was the feeling of the House. He thought the House would be satisfied with the assurance of his right hon. and gallant Friend the Secretary of State for War, as given by himself (Mr. Cross), that he would take care to lay down, in such form as it could not be evaded, a rule that for every offence which could be tried by courts martial Courts of Inquiry should not be held. There would be no doubt upon that point, and that being so, he hoped that they would be allowed to go into Committee.

SIR ARTHUR HAYTER said, that Courts of Inquiry were formed to consider other questions besides military offences, and what they wanted to secure was that those Courts should be limited to collecting information, and should not be allowed to pronounce judicial decisions and sentences.

GENERAL SHUTE maintained that Courts of Inquiry were necessary and valuable when rightly used. They should occupy a position very much like that of a Grand Jury on Assize, and precede a general court martial. There were many cases in which they would save an innocent man from the exposure and inconvenience of a court martial. All Boards might be abused; but he was agreeably surprised to find how few were the cases of abuse which the hon. and gallant Baronet the Member for Sunderland (Sir Henry Havelock) was able to bring forward. He fully admitted the abuse in the case of Colonel Dawkins. But that was a special case, which could not have occurred in the Line. He had had considerable experience of Courts of Inquiry, and believed that they were of great service to a General, and occasionally to the colonel of a regiment, in collecting evidence which could not otherwise be obtained. If they were abolished, a General would be put to much inconvenience, as a Court of Inquiry could go into a case much more completely than a court martial. It was much fairer to an accused man that a Court of Inquiry should be held, than that his case should be decided solely by the Commander-in-Chief. The objection that a man was liable to be tried by interested judges might be urged with equal force against courts martial. He had himself known cases in which Courts of Inquiry had sifted evidence which a court martial could never have investigated thoroughly. In reality, he believed they were all pretty nearly of one mind. He hoped, however, that the Prerogative of the Crown would not be hampered, and that the Commander-in-Chief would not lose the power of having a full inquiry made in cases which it was impossible for him to investigate personally.

GENERAL SIR GEORGE BALFOUR regretted that so much time had been spent upon this question, when it might have been closed at once by a prompt recognition on the part of the right hon. and gallant Gentleman the Secretary of State for War of the principle advocated by the hon. and gallant Baronet the Member for Sunderland (Sir Henry Havelock). He admitted that Courts of Inquiry were often of great use; but when abused they were the cause of very great injustice. These courts were liable to the abuse of partiality by the way they were constituted. There ought to be a regulation making it impossible for these Courts to be composed of officers inimical to the party brought before them. There had been but few cases of dismissal by the exercise of the Prerogative under the inquiries made by such Courts, yet there had been more complaints from the few officers dismissed than from the very much larger number of officers dismissed by courts martial. The illustrious Duke of Wellington never used a Court of Inquiry, on account of the treatment he himself received at the hands of one of those kinds of Courts, which might be said to have been assembled by the Commander-in-Chief and his Staff when before Seringapatam on the occasion of the night attack in which the Duke failed. He was sorry that the Secretary of State for War had not promised them such details of precaution as would prevent this abuse from taking place. In his opinion, the Crown had been lowered by the practice of arbitrary power in the exercise of its Prerogative under these inquiries as well as from the secret reports made on officers.

SIR HENRY HAVELOCK said, that on the understanding that the right hon. and gallant Gentleman the Secretary of State for War would introduce a provision, in the sense stated by the Home Secretary, that Courts of Inquiry should not in future be used for the investigation of military offences which ought properly to be tried by courts martial, he would withdraw his Resolution.

Amendment, by leave, *withdrawn.*

MAJOR NOLAN, who had the following Resolution on the Paper:—

"That it be an Instruction to the Committee, that they have power to make provision therein to increase the remuneration for billeting and carriage hiring,"

said, he was aware that by the Forms of of the House he was not able to move his Resolution. There was this important difference between the present Mutiny Act and former Acts—that formerly the Mutiny Act was passed annually; but this was a perpetual Act, and would merely be put in shape year by year. The question of billeting was therefore, of more importance now than it had been. A good deal of dissatisfaction had been expressed by licensed victuallers with the scale of charges for billeting. In some parts of the country, hotel-keepers and publicans fancied that the House of Commons was to blame for the present billeting rates; but ordinary Members had no control over those rates. On one occasion, he proposed a slight increase of one of the charges paid to an innkeeper, and the then Secretary of State for War called the attention of the Chairman of the Committee to the fact that he (Major Nolan) was moving to increase the charges on the State, which, as a private Member, he had no power to do. A private Member could move a reduction, but only the Government could move an increase. The Government, therefore, could give power to the Committee to discuss the charges, and he trusted that, as a matter of fairness, they would do so. If hon. Members were not allowed to discuss the matter, the Government alone would be responsible for the present rates. According to those rates, an innkeeper received 2½*d.* per night for every soldier quartered on him, and that was quite an insufficient payment. It might be said that it was a tax which a licensed victualler incurred when he took out his licence; but it was an irregular contribution, and was unfair because it was irregular. Licensed victuallers who did not live on a marching route had no soldiers, while those who lived on the routes of march were heavily taxed. Then a licensed victualler received 1*s.* 1½*d.* for furnishing a soldier with a hot meal, which was to consist of a pound and a-quarter of meat before cooking; a pound of potatoes, with a pound of bread, and two pints of small beer. The meat alone would cost about 1*s.*, and for want of small beer stronger beer was often supplied. The licensed victuallers would have to spend 1*s.* 4*d.*, for which he would receive 1*s.* 1½*d.*, and then nothing was allowed for cooking and attendance. Where no hot meal was furnished, 4*d.* a-day was allowed, and that, again, was insufficient; 1*s.* 9*d.* a-day was allowed for forage, and he believed the actual cost was 1*s.* 8*d.* at present rates; but an innkeeper often had to buy forage at retail rates and to hire stables. Besides, no allowance was made for the use of the stall. There was in the Bill, for the first time, an allowance, which he was glad to see, of 2*s*. a-night for an officer's bed, as it was an anomaly to which he had himself called attention on a previous occasion. He maintained that the licensed victualler was not sufficiently considered in the scale of charges. When soldiers went into a fresh district, licensed victuallers were glad to see them; but when the novelty wore off, it was a question of pounds, shillings, and pence, and the result was that they became anything but welcome visitors.

Sir DAVID WEDDERBURN also thought that a good deal of hardship was inflicted upon licensed victuallers by the present system of billeting. The sum mentioned for forage would suffice as long as hay and straw remained at their present low prices; but it was to be remembered that those articles were just now exceptionally cheap, and that their price was certain to rise before long. In Haddington, one of the boroughs he represented, the grievance was much felt, because, lying on the direct road between Edinburgh, where cavalry were stationed, and York, its 11 innkeepers and six livery stablekeepers had, at tolerably frequent intervals, to provide accommodation for some 80 men and horses. They had to do this sometimes only once in two or three years; but sometimes they had to do it half-a-dozen times in a year for two or three years together. It was precisely the uncertainty of this occurrence which constituted the grievance, because the burden could not be calculated beforehand. Innkeepers frequently had not stables sufficient to accommodate the number of cavalry billeted on them, and they were obliged to hire stables for them at something like 3*s*. 6*d*. per horse. As the burden was so uncertain, and fell on a limited class in a few towns, he hoped the right hon. and gallant Gentleman the Secretary of State for War would give an opportunity of bringing this under notice in Committee.

Mr. BRISTOWE fully concurred with the opinions that had already been expressed, and would be glad to co-operate in getting rid of the hardship complained of. As the Committee could not increase the amounts mentioned in the Schedule, the Secretary of State ought to be able to justify his Estimates.

Colonel STANLEY said, that he was informed by the most competent authorities that at present there were no grounds on which an increase could be recommended in the cases referred to by the hon. and gallant Member for Galway (Major Nolan). Lord Cardwell had carefully considered the subject in 1873, and since that time the allowances had been augmented, the increase being based on the proportion which the billeting allowance bore to the usual contract rates, and if the proportion held good then it would hold good now, since the comparison was in favour of the present time as against 1873. The loss to the licensed victuallers, if loss there was, was certainly not greater now than in 1873, with one exception. He had received one deputation from the Wine and Beer Trade Protection Society, composed apparently of men of great ability and intelligence, who had waited upon him, and remonstrated in general terms on the prices scheduled for billeting. He found, however, that they rested their case not so much on their own knowledge of prices, as on the fact of the general increase of the cost of food. When he asked them for further particulars, they had produced a number of statistics, which, however, they declined to guarantee; and though he had requested them to collect and transmit to him additional and authentic information, they had not done so, and had not again communicated with him. The best authorities seemed to be against an increase of price, and it was certainly the fact that the contract rates were now more favourable to the innkeeper than they were in 1873. He had not thought it expedient to ask for a general power in the matter, and, therefore, his only alternative was to include the present figures in the Schedule of the Bill, and, until further reason was shown, he was not prepared to depart from them, as he considered the facts of the case justified their retention.

Mr. WHITWELL thought that some discretion as to the amount paid should be left to the War Office authorities, a maximum sum being all that was enacted in the Statute.

General Sir GEORGE BALFOUR said, he also was of opinion that a discretion should, in some way, be given to the Secretary of State for War, and would suggest that powers should be given in the present Bill to the Secretary of State, who should be empowered to annually lay on the Table a memorandum of the prices at which it was proposed to pay for the various articles necessary, subject to the approval of Parliament.

COLONEL LOYD LINDSAY thought the suggestion of the hon. and gallant Member might meet the exigencies of the case, though there was an opportunity, when the annual Bill came before the House, of re-adjusting the prices, if it were considered that the scale required revision.

MR. RAIKES said, that what was sought was more elasticity in the prices, which at present were wholly inadequate. He hoped the suggestion made by the hon. and gallant Member opposite (Sir George Balfour) would be ultimately adopted.

MR. MACDONALD complained that by billeting a tax of a serious kind was most unjustly placed upon a limited class of the people. Instances had been brought under his notice where licensed victuallers had sustained a loss of 1*s.* 9*d.* per head each night on the persons billeted on them. He thought that this should be borne by the Government, and not by the individual.

MR. A. H. BROWN thought that the system of placing Volunteers under military law when they were with the Army would hardly work well.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preliminary.

Clause 1 (Short title of Act).

MAJOR NOLAN said, he wished to speak on the preliminary business.

THE CHAIRMAN: There is no Preamble to this Bill.

MAJOR NOLAN said, the Bill surely could not begin with the 1st clause?

THE CHAIRMAN replied, that a Preamble usually consisted of a recital beginning with the word "Whereas." The words, "Be it enacted, &c.," formed no part of the provisions of the Bill, and were merely part of its machinery. This measure had no Preamble.

SIR ALEXANDER GORDON wished to move an alteration in the title. He thought "Army Discipline Bill" a much better title than "Army Discipline and Regulation Bill." Originally, there were the Army Discipline Bill and the Army Regulation Bill. Then the Government embodied the two Bills in one, and he supposed they, at the same time, amalgamated the titles. For his part, he thought "Army Discipline Bill" would be a much better title, for even the suggested title did not cover the full description; and if they were to be correct they should add the word "military." He would move, as an Amendment, in page 1, line 6, to omit the words "and Regulation."

COLONEL STANLEY said, the hon. and gallant Gentleman would see that the title of the Bill was in conformity with the general subject. It would be impossible to contend that the words "Army Discipline" would cover all the arrangements as to enlistment, billeting, and other general provisions contained in the 3rd and 4th parts of the Bill. It was quite true that the Army Discipline Bill was before the Committee last year; but that was owing to circumstances over which he had no control, and no one else had any control. On consideration, he did not think that all the subjects essential in this Bill could be comprised under the word "Discipline," and, therefore, he added the words "and Regulation."

MAJOR NOLAN said, he thought the 1st clause, as there was no Preamble, ought to contain the most important words which had been in the old Act for more than 100 years. The old Mutiny Act began—

> "Whereas the raising or keeping of a standing Army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against the law."

And then it went on to say that annual powers were given to the Crown to have a standing Army. These words were omitted from the present Bill, and he considered they contained a most important Constitutional principle, which should not be lost sight of. They were now recognizing a standing Army to an extent never before dreamed of. The old oath, too, was altered. Then an officer on court martial was sworn to duly administer justice "according to the Act now in force," and that sent him straight to the Mutiny Act, with the words he had quoted. But this Bill spoke of the Act of 1879. If, then, ambitious Ministers should ever wish to carry on the Army without the consent of Parliament, their acts would be condemned by the first words of the old Act, if it were still in force; but that would not be the case under the new Act.

Mr. STAVELEY HILL pointed out that these words would still remain in the annual Act, passed every year. The present Bill merely embodied certain things which were in their nature permanent, and the annual Acts would still be passed with the very recital and the Preamble which the hon. and gallant Gentleman (Major Nolan) wished to insert.

Amendment *negatived.*

Sir ALEXANDER GORDON moved, as an Amendment, in page 1, line 6, to leave out "1879," for the purpose of asking the right hon. and gallant Gentleman the Secretary of State for War to state how he proposed to have this Act quoted? In the Bill before the Committee last year, there was this clause—

> "Where any section or sub-section of this Act is amended by the substitution of another section or sub-section, it shall be the duty of Her Majesty's printers, in all copies of the Act issued after the expiration of the current year, to substitute the amended section or sub-section for the section or sections thereby so amended."

That appeared to him a most extraordinary mode of procedure. He thought they would print the original Act of this year as it was passed as the Act of 1879, and then, if the Act were amended next year, that Act would stand upon their Records as the Act of 1880. But, according to this proposal, the printer would insert in the Act of 1879 the Amendments of 1880, and this would go on for several years, resulting in very great complications, officers not knowing which Act they were dealing with. In this Bill, however, that proposal was altogether omitted; but nothing was put in its place. Sir Henry Thring told them, in the Select Committee, that it was inevitable that this Act would require amendment, and, therefore, they would certainly require a series of Acts on the subject. Sir Henry Thring, as they would see by his evidence, spoke of the impossibility of at once passing a Consolidated Act. He said that this Act would require amendment for several years, and he instanced the Merchant Shipping Act, which had been amended 19 times. If they had the same experience in regard to this Act, which was most probable, they would therefore have 19 amending Acts. In the prospect of this, he should like to know how the Secretary of State for War proposed to introduce them into the measure they were now considering, and to quote them?

Mr. ASSHETON CROSS said, the Act must be year-marked by some name or other. This would be known as "The Army Discipline and Regulation Act, 1879." In future annual Acts it would be alluded to by that name until it was amended, when it would be "The Army Discipline and Regulation Act, 1890," or whatever year it might be.

Major NOLAN said, the first three clauses all referred to the name of the Act. Now, they were told, there was to be a Continuance Act; but bobody knew anything about it, except the Secretary of State for War and the Judge Advocate General. He therefore thought it would be far better to postpone these clauses until they had seen the Act, for they could not without it decide on the name of this Act.

Colonel STANLEY did not think there was any necessity for postponing these clauses, as he had stated the substance of the annual Act, and there was a copy of it in the House now.

Sir WILLIAM HARCOURT said, the hon. and gallant Gentleman (Major Nolan) would find the annual Act at page 101 of the Report of the Committee on this subject; and he would find there, also, that the Constitutional recitals on which he insisted, and very properly insisted, were all inserted. He (Sir William Harcourt) should think the most convenient mode of introducing any Amendment would be to move the Amendment on the annual Act, instead of having a separate Bill to amend that Act, whenever the annual Bill was brought in. Anybody, of course, might propose any Amendment of this Act when the annual Act was brought forward. In that way, the Committee thought that Parliament could maintain its control over the permanent Code. Whenever the annual Bill was brought in, to give effect to the permanent Code, Parliament might refuse to pass any part that it disliked; and if there was any particular part that was thought to require amendment, that might be obtained by making an addition to the annual Bill. Of course, the next annual Bill would include that Amendment, and after that had gone on for some time and the Act was beginning to become cumbrous, there would be another Consolidation Act.

MR. E. JENKINS thought there was some force in the objection of the hon. and gallant Gentleman (Major Nolan). He remembered that the Committee, on the drawing of the Statutes, pointed out how much better it would be if the amended clauses or sections were substituted for the old ones, these being struck out of the Act. If this were done, officers of the Army, who were in the habit of looking to certain parts of the Act for certain things, would be always sure, whatever new regulations were introduced, that they would find them in that particular spot. He did not think there would be any practical difficulty in doing that, and it would really be worth while trying as an experiment in legislation.

SIR JOSEPH M'KENNA did not know what would become of their legislation, if they were to have certain words expunged from their Statutes and others substituted.

MR. E. JENKINS explained that he had been misunderstood. He did not propose that anybody should expunge words; he only wished to pass Acts, containing the new clauses, making it "that so-and-so be substituted and be printed" under such an Act.

MAJOR NOLAN thought it most undesirable that they should be discussing a Continuance Act, which the hon. and learned Member for Oxford (Sir William Harcourt) might have seen, but which he had not seen.

MR. ASSHETON CROSS pointed out that the Act was in the Report, and that a Copy of it was on the Table.

MAJOR NOLAN replied that he had had no opportunity of studying it, and the great majority of hon. Members knew nothing of it. He knew, of course, that hon. Gentlemen sitting behind Ministers would take anything on the strength of the statements of Ministers. ["No, no!"] Well, at any rate, they did very often. But Members of the Opposition were entitled to look at this Bill before they were called upon to legislate on the subject. There was one point which he would like to have cleared up by the Judge Advocate General, or by some other Minister. In ordinary Continuance Acts they were not allowed to insert any new clauses; and he especially remembered in the case of the Coercion Act that he and other hon. Members tried to get a new clause inserted there, and that they were not allowed to do it. Now they were told that this was an exceptional case, and that they could do it. He had no doubt that statement was correct, because the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt) was always correct when he spoke on business matters; but still it would be satisfactory to have an assurance from Ministers.

MR. ASSHETON CROSS: No doubt, a new clause can be put in.

SIR ALEXANDER GORDON explained that he was not thinking of the control of Parliament, but of the officers of the Army, who would have to use the Act. Their object was that they should have one document to deal with, while, by the proposition of the right hon. and gallant Gentleman the Secretary of State for War, they would be obliged to have in their possession, not only this Act, but every Act passed in every year subsequently.

MR. E. JENKINS said, he had considerable doubt whether the opinion of the Home Secretary was correct, that new clauses modifying or amending this Act could be introduced into the annual Bill. He believed it was impossible for him to ask the opinion of the Chairman on the subject, as the Bill was not before him; but, as he read the Bill, the object of the Continuance Act would simply be to continue the Army Discipline Bill and nothing else. He should not venture to set his opinion against that of the Home Secretary; but it might be well to introduce a clause reserving the right of amending and refusing the Act.

MR. ASSHETON CROSS would never have ventured to give such an opinion, had he not previously received the most careful and explicit explanations from the authority whom they all consulted on these subjects.

SIR WILLIAM HARCOURT called attention to the title of the Bill in the draft, "For bringing into force and continuing the Army Discipline and Regulation Act so and so." If they passed an Act for that purpose, they might pass it subject to any conditions they pleased, and those conditions would be part of the measure. This was something more than an ordinary Continuance Act; and in such a measure, when Parliament brought into force any particular Act, it might also bring into force such Amendments as it chose.

Mr. BRISTOWE was of opinion that the matter had been misunderstood, because it had not been clearly explained. This was not a Continuance Act at all, but a Code to be introduced year by year by an annual Act for that purpose; and, therefore, in no sense would the annual measure be a Continuance Act. Being such a Code, any Amendments could be introduced each year; and if, after a number of years, when many Amendments had been introduced, the Act became cumbrous, then a new one could be introduced.

Amendment *negatived.*

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Sir ALEXANDER GORDON moved, as an Amendment, that it be omitted, in order to substitute a new one.

The CHAIRMAN: The hon. and gallant Member is, of course, within his right in opposing the Motion that Clause 1 stand part of the Bill; but it is not open to him to propose to substitute any other clause at this stage of the Committee. It would, of course, be open for him to bring in a new clause, provided it were in harmony with the object of the Bill, when the new clauses come to be considered.

Sir ALEXANDER GORDON said, he proposed to omit the clause in order that, at the proper time, he might bring up a new clause containing the general principles which guided the House in legislating on this subject. The present Bill began without setting out those general principles at all. It was not open for him to discuss the new clause he meant to bring up on that occasion; but he might say he hoped that this Bill would not be hurried through the House, for it was a most important measure, and affected, not only the whole of the Army, but very many of the civilians throughout the country. The new clause he would propose subsequently would be—

"During the time this Act shall continue in force no person subject to military law shall be liable to be held guilty of any misconduct until he shall have been offered the opportunity of explaining or defending the act or acts which constitutes his alleged misconduct, in the manner hereinafter directed."

Question put.

The Committee *divided:*—Ayes 101; Noes 26: Majority 75.—(Div. List, No. 77.)

Clause 2 (Mode of bringing Act into force).

Mr. E. JENKINS moved, as an Amendment, in page 1, line 8, to leave out the word "same," in order to insert the words "an annual." His object was to have it definitely stated in the Bill that it was to be annually renewed. He hoped the Government would have no objection to the Amendment.

Mr. O'CONNOR POWER said, notwithstanding what was stated a short time ago in reference to the power they would have of altering the clauses of this Act, great doubt existed amongst many hon. Members on the subject, and they were not sure that if the clauses were passed they would have it in their power to amend them. Everyone seemed to be in favour of retaining control over the provisions of the Bill, and, therefore, they were anxious to make sure that the House of Commons relinquished no power of altering the Mutiny Act in agreeing to this Bill. He did not see how the Government could possibly object to the Amendment which had been proposed.

Colonel STANLEY did not see that there was any material objection to the Amendment, and he would, therefore, agree to its adoption.

Amendment *agreed to;* words *substituted* accordingly.

Sir WILLIAM HARCOURT said, he had an Amendment to move, in order to make one point clearer than it was at present. He proposed, in page 1, line 9, after the word "time," to insert the words "and subject to such provisions, if any." That would leave no doubt at all about the clause.

Mr. E. JENKINS suggested that after "provisions," the words "and enactments" should be inserted.

Mr. HOPWOOD did not see that the words "if any" were necessary. There could not be an Act of Parliament without some provisions, and it was, therefore, a little redundant to speak of "such provisions, if any."

SIR WILLIAM HARCOURT had no objection to withdraw the words "if any."

Words, by leave, *withdrawn;* Amendment, as amended, *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 3 (Division of Act).

MR. J. BROWN moved, as an Amendment, in page 1, line 14, after "Part I.," to insert "definitions and." He did not think the Bill could be made too plain and simple. They all knew that when they studied Euclid they had the definitions first, and they would understand this Bill much better if they had the definitions first. The Committee must remember that the Bill was not intended for lawyers; but it would be administered by soldiers and persons who had no legal knowledge. Now, there were several definitions which ought to be included, but which he did not find in the Bill. For instance, if a man struck an officer in the execution of his office, he was subject to very serious penalties; but there was no definition of what "in the execution of his office" meant. The word "misbehave" also, ought to be included in the definitions. Then there was the vexed term, "felonious and fraudulent." He had been looking over the Criminal Code Bill for a definition of "felonious and fraudulent," and he could not find one.

COLONEL MURE rose to Order. He considered the hon. Member for Horsham (Mr. Brown) was taking a rather peculiar course. The definitions were set forth at page 103, and they were at present on page 1 of the Bill, and yet a discussion was being raised on what did not come until they arrived at page 103.

THE CHAIRMAN: The hon. Member for Horsham (Mr. Brown) is proposing to insert in this clause the words "definitions and," and I understand him to illustrate his position by making a short reference to the definitions of the Bill. He would not be in Order to discuss those definitions at length; but he is in Order in briefly referring to them.

MR. J. BROWN said, some of the definitions were of a most serious character, and he should like them to come first in the Bill. He did not desire to oppose the progress of the measure; but he called attention to this matter in the interest of the Army itself.

COLONEL STANLEY: Perhaps the time of the Committee will be saved, as this is a matter of drafting, if I agree to postpone the clause.

MR. J. BROWN said, under those circumstances, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

GENERAL SIR GEORGE BALFOUR desired to draw attention to the number of useless words which had been employed in the drawing up of this Bill. Their object ought to be to simplify the military law in respect to this verbosity as much as possible. The Statute Law Revision Committee recommended that all words which were mere repetitions should be passed by means of one enacting clause. For instance, Clause 10 had some 65 words in it, and there were no less than 12 or 14 other clauses which contained exactly the same words, all of which were useless verbiage. Those clauses were the 11th, 15th, 21st, 22nd, 26th, 30th, 31st, 35th, 36th, 37th, 38th, 39th, and 40th; and under these there were about 35 offences all liable to be punished in the like manner, and all having a common heading. When he looked at Clause 4 he found there were no less than four other clauses of a similar character—namely, Clauses 7, 14, the first part of Clause 8, and the first part of Clause 9. These clauses dealt with 15 offences which might all be brought into one clause. Thent he second part of Clause 8 was exactly the same as the second part of Clause 9. There were several clauses like Clause 18. They dealt with eight offences, all of which might be included in one clause. He earnestly hoped the Secretary of State for War would not hesitate to amend the Bill in these respects. In any measure connected with the Army, nothing could be better for the discipline and convenience of the Service than to have all these laws and offences scattered through as few clauses as possible.

COLONEL STANLEY: I think the Committee will hardly expect me to enter into any detailed reply to the arguments of the hon. and gallant Gentleman. I cannot accept what he suggests, because, when I had the honour of introducing this Bill, I stated that one of the great principles upon which it had been drafted was that, instead of mixing up the law of promiscuous offences, merely because the same punishment might be applied to them, it had been thought better, acting on the advice of all those whose attention had been directed to the subject, to define the offences separately, and then to specify their particular punishments. To do what the hon. and gallant Member proposes would, no doubt, save words; but it would be at the expense of that clearness which is the very object of the Bill.

Clause *postponed.*

PART I.—DISCIPLINE. CRIMES AND PUNISHMENTS.

Offences in respect of Military Service.

Clause 4 (Offences in relation to the enemy punishable with death).

MR. J. BROWN rose to move the omission of sub-section 7.

SIR ALEXANDER GORDON said, he had an Amendment before that.

THE CHAIRMAN: The Amendment of the hon. and gallant General is one which refers to the machinery of the Act, and is not an Amendment to the subject-matter of the Bill. Therefore, it cannot be put.

MR. E. JENKINS submitted it would be competent for the hon. and gallant Gentleman to move to postpone Clauses 4 to 165, inclusive.

THE CHAIRMAN: The hon. and gallant Member would not be in Order in moving to postpone clauses wholesale, though he would clearly be in Order in moving to postpone one clause at a time.

SIR ALEXANDER GORDON hoped he would hereafter have an opportunity of discussing his Amendment, as it was an important matter, being to insert "part 5" as "part 1."

MR. J. BROWN then proposed the omission of sub-section 7 from the clause, on the ground that it was so vague in its meaning, and that sub-section 6 provided for it.

Amendment proposed,

In page 2, line 17, to leave out from the word "thereof," to the word "mentioned," in line 19, inclusive.—(*Mr. James Brown.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

COLONEL STANLEY said, it had been thought well to insert this sub-section, after careful consideration, because he could well conceive there were many offences which might occur in face of the enemy which would be of a serious character, and which were not provided for in the previous sub-section.

MAJOR NOLAN would vote for the Amendment to omit this sub-section, though if the Committee decided to retain it, he would suggest, after the words "misbehave before the enemy," the omission of "in manner in this Act not specifically mentioned." He considered those words objectionable. The terms of the proposed new Act were exactly the same as those of what was familiarly called "the Devil's clause" of the existing Act, and that clause had been condemned by all military writers of authority.

SIR WILLIAM HARCOURT thought, after all, that it must be remembered that what this Bill merely professed to do was to consolidate the existing laws. It was meant to re-enact in a clearer form the existing laws, and they would find in Section 15 of the Mutiny Act, "or shall misbehave himself before the enemy." Then they would see that was repeated in the 52nd Article, "shall misbehave before the enemy;" therefore, he was of opinion that it would not be right to omit an offence which had been so long retained in the category of offences under the Mutiny Act; therefore, they should adhere to the wording of the existing law.

MR. MARTEN pointed out that the clause also contained these words, "inducing other persons to misbehave themselves before the enemy."

MAJOR NOLAN objected to the words "in manner in this Act not specifically mentioned." He strongly protested against these words, and he certainly thought they ought to be omitted.

MR. O'CONNOR POWER was afraid the hon. and learned Member for Oxford (Sir William Harcourt) did not remember the response made by the Government last year to those who objected to the Mutiny Bill. It was then stated that the object of the present Bill was to "consolidate." He remembered well that it was stated, when opposition was made to the Mutiny Act, that a Bill would be prepared to consolidate, revise, and reform the law. Of course, that might have escaped the notice of the hon. and learned Member. He thought the objection which had been raised to this sub-section was very well founded, because of the great penalty that was attached. First of all, they had the offences described in ambiguous language; and if those who were in charge of the Bill could see their way to leave out this ambiguous description of the offences, he did not think the usefulness of this measure would be at all impaired. The hon. and gallant Member for Renfrewshire (Colonel Mure) said there was another Devil's clause; but one Devil seemed to him to be enough to contend with at a time.

MR. BULWER said, he thought the proposed Amendment of the hon. and gallant Member for Galway (Major Nolan) might very well be accepted. The words proposed to be left out would be better out of the clause. He did not think the Bill would be less stringent as applied to men who misbehaved in the presence of the enemy, if the words complained of were left out.

MR. E. JENKINS said, the hon. and learned Member for Oxford (Sir William Harcourt) seemed to think that the Committee had no right to criticize the proceedings of any Committee of which he was Chairman.

SIR WILLIAM HARCOURT begged pardon. He did not think he had said or suggested anything of the kind.

MR. E. JENKINS begged the hon. and learned Gentleman's pardon. He hoped that this Bill would be considerably modified before the Committee on the Bill closed.

MAJOR O'BEIRNE could not see that the Bill made any improvement. It seemed to him that it increased the confusion which previously existed.

GENERAL SHUTE could hardly conceive what clause was necessary if this one were not, which provided for the punishment of those who misbehaved in the face of the enemy. Nothing could be more necessary for the discipline of the Army in the field than this clause.

MR. HOPWOOD said, he was not a General in the Service; but he objected to the word misbehave. It was too wide altogether. It would go through every variety of offence, from the mildest to the most serious by which a man could offend his commanding officer. He thought it was time to get rid of such a clause as this, and he did not believe the efficiency of Her Majesty's Service would be affected if the clause were struck out.

Question put.

The Committee *divided:*—Ayes 151; Noes 26: Majority 125.—(Div. List, No. 78.)

MAJOR NOLAN said, as the matter they were dealing with was one involving capital punishment, they could not be too careful as to definition; and, therefore, he begged to strike out the words "in the manner of this Act not specifically mentioned."

SIR WILLIAM HARCOURT said, he thought there was a good deal of force in this Amendment. He did think that in capital punishments they should have the offences made as specific as possible, and not leave anything in doubt. He certainly agreed with the hon. and gallant Gentleman that they ought not to leave minor offences open to a larger interpretation.

MR. STAVELEY HILL also agreed that these words should be left out.

Amendment *agreed to;* words *struck out* accordingly.

On Question, That the Clause stand part of the Bill?

GENERAL SIR GEORGE BALFOUR, referring to replies given to him last year, said, he would much rather have the old Mutiny Act than this badly drafted one, and especially in the complicated state as it was proposed for the consideration of the Committee. He should move the omission of the clause. He was anxious as to the manner in which the proposed changes should be carried out. He would take the advice of the hon. Gentleman in the Chair as to the way in which the offences in Clause 7 should be amalgamated in Clause 4.

THE CHAIRMAN was afraid he must tell the hon. and gallant Member that it was not part of his duty to advise him as to the form of his Amendment. Unless the Amendment was on the Paper, he had no precise guide as to the form in which the hon. and gallant Member intended to propose to amend the clause.

General Sir GEORGE BALFOUR then submitted the clauses which could be combined, and which were read in an amalgamated form by the Chairman.

Colonel STANLEY pointed out that if the Government had differentiated the punishments, they had placed those differentiated punishments in a different category from that which formerly applied, and which applied also to the punishments provided for in another clause of the Bill. He could not, therefore, accept the Amendment which had been proposed.

General Sir GEORGE BALFOUR held that the question of punishments was exactly the same in both clauses, and said he could not, therefore, accept the statement of the right hon. and gallant Gentleman the Secretary of State for War with regard to differentiated punishments in the present clause.

Sir WILLIAM HARCOURT said, that the arrangement proposed under the present Bill differed from that which had formerly been followed under the Mutiny Act, in that the present proposal disregarded the similarity of punishments, and had reference solely to similarity of offences. The object of the Bill before the Committee was to get rid of the old principle to which he had referred; and what he, and those who thought with him, wanted was, on the other hand, to retain that principle.

General SHUTE pointed out that the clause applied to offences committed in face of the enemy, and ought, therefore, to be kept distinct.

Amendment *negatived.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 5 (Offences in relation to the enemy not punishable with death).

Colonel ALEXANDER moved the omission, on page 2, line 33, of Subsection 4, which included under the provisions of the clause the offence of holding correspondence with or giving intelligence to the enemy without due authority. It was a needless repetition of Clause 4, Sub-section 3.

The Chairman

Mr. O'CONNOR POWER held that the more humane course would be to leave the clause as it stood in the Bill.

Amendment, by leave, *withdrawn.*

On Question, That the Clause stand part of the Bill,

General Sir GEORGE BALFOUR remarked that as the clause was a penal one, and as the offences with which it dealt might be committed alike in garrison and in camp, the offences to be dealt with on these two Services should be classified, and he would move an Amendment accordingly.

Colonel STANLEY said, he could not assent with the mixing-up of miscellaneous offences under the Bill in the way proposed by the hon. and gallant General. That being the view of the Government, it was unnecessary for him to enter into any details.

Amendment *negatived.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 6 (Offences punishable more severely on active service than at other times).

Sir ARTHUR HAYTER moved, in lines 18 and 19, after the word "whatever" to insert the word "intentionally." The effect of his Amendment would be that the offence contemplated by the clause could not be held to have been committed, unless on the march an alarm was created by the intentional beating of drums, the firing of arms, or the adoption of any other course calculated to produce an alarm.

Colonel DRUMMOND-MORAY remarked that if the word "intentionally" was adopted in this instance, there was scarcely a clause in the Bill where it ought not to be inserted.

Colonel STANLEY thought the clause had better be left as it stood, because there might be cases in which, although there was no moral doubt of the intention to create an alarm, there might be a difficulty in proving the intention in strict legal form if the word was inserted in the Statute.

Mr. COLE supported the Amendment, on the ground that if a man was to be convicted under a penal section of a statute, there must be legal proof of his having been guilty of the offence charged. There would be no legal power to convict a man merely because no moral doubt of his guilt existed in the minds of those who were trying him. The intention was the very essence of the offence.

Major NOLAN held that there ought to be something in the Act to distinguish between offences which were some of them the result of intention and others of negligence. He therefore proposed to amend the proposed Amendment by inserting the words "or negligently" after the word "intentionally."

Colonel STANLEY said, that although he was not prepared to accept the addition of the word "intentionally" by itself, he would agree to amend the clause by inserting that and the other suggested words.

Mr. HOPWOOD pointed out that as the punishment of death might be inflicted for offences committed "intentionally," the words "or negligently" ought not to be inserted at this particular point, because it would involve capital punishment as the penalty for offences that were the result of mere negligence as well as for offences which were the result of intention. If it was intended to provide a punishment for offences that were committed negligently, he thought that should be done by an Amendment at the end of the next clause.

Major NOLAN expressed his willingness to withdraw his Amendment to the Amendment proposed by the hon. and gallant Member for Bath (Sir Arthur Hayter).

Amendment to said proposed Amendment, by leave, *withdrawn.*

Colonel STANLEY said, that as he had accepted the Amendment, he should propose to insert the word "intentionally" in line 17 of Clause 4, making it necessary for misbehaviour in face of the enemy to be done "intentionally."

Amendment *agreed to;* word *inserted* accordingly.

Sir ALEXANDER GORDON proposed that the word "treacherously" should be inserted in the sub-section providing for making known the parol or watchword to any person not entitled to receive it, or without good and sufficient cause giving a parol or watchword different from what he received.

Amendment *agreed to;* word *inserted* accordingly.

On the Motion of Sir Arthur Hayter, the following Amendment was made:—In page 3, Sub-section 10, lines 24 and 25, leave out "or part of a corps."

Mr. J. BROWN said, that there should be added to the offences for which a sentence should be liable that of neglecting to obey the orders of his post. He would, therefore, move in page 3, Sub-section 11, after line 31, to insert—"(C.) Neglects to obey the orders of his post." He believed that that crime had always been provided for hitherto by the 105th Article of War. But in the present Bill the offence was not recognized at all, except by Clause 11, which provided for the offence of "neglecting to obey any general garrison or other orders." He wished to point out that if the offence in question came within Clause 11, there was no distinction made between the offence when committed on active service and when not on active service. Yet there could be no doubt that the offence was of a much more serious character when committed on active service. He therefore begged leave to move that the words he had suggested should be inserted in Sub-section 11.

Major NOLAN strongly objected to the insertion of these words. A neglect to obey the orders of his post on the part of a sentry might be the orders of the officer, or the non-commissioned officer of the post, and it might be that the sentry did not understand those orders, and only disobeyed them through ignorance. He thought that the crime was sufficiently provided for already by the Bill, and it seemed to him that it would be a most serious thing to visit a sentry with such severe punishment for such an offence.

Colonel STANLEY said, that, undoubtedly, the offence for which it was desired to provide was a most serious one. It could be dealt with under the 105th Article of War, although he did not remember that it had been so. There seemed to him many objections to the introduction of the crime in this place in the Bill. He was unwilling to make the rule any more stringent than it was at present, and should oppose the Amendment.

Mr. J. BROWN stated that it was not his intention to push his Amendment. He was under the impression that a sentry had always proper orders given him at his post, and that there could, therefore, be no difficulty. He was strongly of opinion that there ought to be a distinction between the gravity of these offences on active and non-active service

Amendment, by leave, *withdrawn.*

COLONEL ALEXANDER said, that under the clause a soldier might become liable to the punishment provided as much when he was acting in aid of the civil power as in war. It seemed to him that the soldier who committed any of these offences when called out in aid of the civil power was as culpable as if he was on active service; and he confessed that he saw no reason for altering the 17th clause of the Mutiny Act. He begged to move, in page 3, line 33, after "service," to insert "or when employed in aid of the civil power."

MAJOR NOLAN observed that if the offences provided for by the clause could be committed when troops were called out in aid of the civil power as well as on active service, the result would be that an officer could not communicate with a mob in order to keep it quiet. The effect of the Amendment of the hon. and gallant Gentleman would be to make an officer who endeavoured to disperse a mob by speaking to it liable to punishment. It seemed to him that it would be a most serious thing to put troops, called out in time of riot to quell disturbances, on the same footing as regarded those offences as when on active service. It would be impossible to have the same severe laws against communication with their own fellow-countrymen as with the enemy.

COLONEL ALEXANDER begged to point out that in the 1st clause of the Mutiny Act the same thing was done.

COLONEL STANLEY objected to the principle of the clause being carried further than it was at present.

Amendment, by leave, *withdrawn.*

MR. HERSCHELL wished to call attention to a small matter. He would suggest that as the word "treacherously" had been inserted in the clause, it was worthy of consideration whether it should not be made an offence to make known the watchword, even though not done treacherously. It was a serious thing to make the word known when in the presence of the enemy, though it might not be fitting to punish it with death.

MR. A. H. BROWN wished to ask the right hon. and gallant Gentleman the Secretary of State for War whether the provisions of this clause, providing for death or such less punishment as was in the Act mentioned, took away, in the case of Volunteers acting under the Mutiny Act, the right of summarily dismissing them? It seemed to him that they were to be punished in some way in the Act mentioned; but it would be as well to know precisely whether the right of dismissal was proposed to be taken away by this clause.

COLONEL STANLEY did not quite understand the question of the hon. Member.

MR. A. H. BROWN said, that the Mutiny Act would apply to the Volunteers when brigaded with the Regular Forces. He should like to know whether the ordinary power of summary dismissal would be taken away by the clause?

COLONEL STANLEY was not aware whether the right of summarily dismissing a Volunteer would come under the purview of this Act. He would endeavour to get information on the point, and communicate it to the hon. Gentleman.

MR. A. H. BROWN wished to know, also, whether, in Clause 46, page 21, a man could be punished twice for the same offence?

MR. HERSCHELL said, that the question was dealt with in the 44th clause of the Bill, and that when that clause was reached it would be a good opportunity for discussing it.

Clause *agreed to,* and *ordered* to stand part of the Bill.

Mutiny and Insubordination.

Clause 7 (Mutiny and sedition), *agreed to,* and *ordered* to stand part of the Bill.

Clause 8 (Striking or threatening superior officer).

COLONEL ALEXANDER moved to leave out lines 16 to 21 inclusive, being that part of the clause which provided for a person subject to military law striking, or using, or offering any violence to his superior officer being in the execution of his office, the offender being made liable by the Bill, on conviction by a court martial, to suffer death, or such less punishment as in the Act mentioned.

COLONEL STANLEY said, that he could not assent to this Amendment. As he understood it, it was contrary to the intentions of the Committee which sat last year. He was desirous of carrying out the recommendations of that Committee, and, so far as possible, it had been his endeavour to differentiate the punishments awarded.

COLONEL MURE said, that he had the same Amendment upon the Paper. The effect of the provision was that if a soldier struck his officer in the execution of his duty at home, that soldier was punishable with death; whereas if he struck his officer in the execution of his duty when on active service, he was only punishable with penal servitude. By the Queen's Regulations, page 501, No. 6, Appendix C, a non-commissioned officer was treated as always in the execution of his duty, and any soldier striking a non-commissioned officer, either at home or abroad, would be liable to death. If he struck an officer at home or abroad, he would only be liable to penal servitude. He thought there was some confusion in the manner in which the subject was dealt with. He confessed that it seemed to him that if that part of the clause proposed to be struck out were omitted the matter would be much simplified, and ample provision would be made for the offences against which the clause was directed. Another question presented itself—namely, as to how far the Queen's Regulations would rule this Act. This Act, if it passed into law, would be a permanent statute of law for the enforcement of discipline in the Army; but side by side with it existed the Queen's Regulations, which, by thus describing the non-commissioned officer, as it were prescribed the punishment of death for striking him whether at home or abroad.

COLONEL ALEXANDER did not wish to press the Amendment against the sense of the House. He would, however, say that he had never known a court martial to take place where the words "in the execution of his office" were not added to the charge. That was his experience, and he had seen some hundreds of courts martial.

SIR WILLIAM HARCOURT observed, that there was a great difference between striking an officer in the execution of his duty if at home or if abroad. Moreover, the Articles of War drew a broad distinction between the two degrees of crime. The Committee were also of opinion that there should be a distinction drawn between the gravity of offences when on active service and when not an active service. That was the only difficulty in the existing law; but, in the same degree, that was now modified. It was the opinion of the Committee that the severer punishment should be kept for those cases where this offence was committed before the enemy.

COLONEL MURE did not think that the point was quite understood. The difficulty was to appreciate what was exactly meant by "execution of his office." The officer in the execution of his duty when abroad on active service, and when at home, was in very different positions. If they took the case of Rorke's Drift, where so gallant a defence was made; supposing a mutiny had arisen in that little garrison; there was but a small body of men there, and a mutiny amongst them would have been a very serious matter. If a soldier there had mutinied, and had struck his superior officer while not actually commanding him, that soldier would only have been liable under the Act to penal servitude; whereas, if the officer had been at home, and had been in the execution of his office when struck, the man could be punished with death. That appeared to him to be inconsistent, and, considering the very small bodies of British troops which, frequently on service, specially on colonial wars, were left to hold dangerous isolated posts against superior numbers, he thought it highly desirable that some such provision should exist drawing the distinction to which he had alluded.

MAJOR O'BEIRNE begged to move to report Progress. It was past 12 o'clock, and a good many Members wanted further time to study this Bill.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Beirne.*)

MR. O'DONNELL said, as they were dealing with the punishment of death in this clause, that they had far better give it too much consideration than too little. He felt, of course, great consideration for the opinions of those who were more thoroughly experienced in this branch of the law than himself; but still he felt that great responsibility was thrown on individual Members of Parliament in this matter. They were discussing what was undoubtedly an important and serious portion of the law of this country, and the Committee, therefore, ought not to grudge some extra time to a provision of this nature. There were already some strange contradictions in this clause. By the clause, any man who struck his superior officer when in discharge of his duty was made liable to the punishment of death; while a man, by a subsequent clause, who resisted an escort sent to arrest him was made liable to a less punishment, death not being mentioned. There was evidently a confusion here, which a little consideration might clear up. He therefore supported the Motion; although if it were the general wish of the Committee that this discussion should continue a little while longer, he should not venture to oppose it. They must remember, however, that in other parts of the Bill a mistake would be of much less consequence.

Mr. B. SAMUELSON thought the anomaly complained of might be remedied, if the hon. and gallant Gentleman would withdraw his Amendment, and the clause were amended by omitting the words after "officer," and afterwards by omitting from the word "who," in line 22, to line 25. The difficulty in this case arose from different cases being mixed up together, and from the case of striking an officer, and that of using insubordinate or threatening language, being confounded. These were totally different offences, and should be punished differently. The clause, as amended, would then read in this way—

> "Every person subject to military law who strikes or uses any violence to his superior officer shall, on conviction by court martial, be liable to suffer death, or such less punishment as in this Act mentioned."

Discretion would then be left with the Court to deal with the case. As an officer was almost always supposed to be in the execution of his duty, these words would meet the justice of the case. The clause would then go on to say—

> "And every person subject to military law who uses threatening or insubordinate language to his superior officer shall, on conviction by court martial, 'be liable either to be cashiered or to some summary imprisonment.'"

If that alteration were made, they would have no confusion between the cases of an officer at home and an officer abroad, and the punishments would be varied.

Colonel STANLEY said, this Amendment would make the law far more stringent than it was at present, for, under it, any person who was subject to military law who used any violence to his superior officer would be liable to suffer death, which was going further than the Act did at present. These clauses had been drawn very carefully, with the view of differentiating punishments as far as possible. Striking or offering violence to a superior officer in the execution of his duty was the most serious offence, and to that the most stringent punishment was attached. Then came offences of a secondary character; and every person who used violence to his superior officer, or threatening or insubordinate language, was subject to a less punishment—namely, to penal servitude if on active service, and, if otherwise, to cashiering or imprisonment. He hoped they would be allowed to carry this clause, and the next, after which he would not offer any opposition to the Motion to report Progress. They had already practically finished the discussion of this clause, and, as the next went with it, the two would take very little time.

Motion, by leave, *withdrawn.*

Sir ALEXANDER GORDON said, the distinction between an officer in the execution and not in the execution of his duty had long been recognized in the Army, and a heavier penalty had always been awarded to the first offence. The hon. and gallant Gentleman (Colonel Mure) was wrong in supposing that the punishments were different at home and abroad. He had never heard of any distinction in the Act, and the Regulations were wholly subordinate to the Act. It was nonsense to talk about the Regulations of the Army being on an equality with Acts of Parliament passed by that House.

Colonel ALEXANDER said, he had no objection to withdraw his Amendment; but he had invariably been told that an officer was always considered to be in the execution of his duty. He did not think any hon. and gallant Gentleman could remember any court martial in which the words "in the execution of his office" were not inserted in the charge.

MAJOR NOLAN said, the Regulation might be the fact as to the Guards, but it was not so in the Army.

COLONEL MURE was unwilling to withdraw his Amendment, for he felt very strongly about it. He would again point out that if, on foreign service, a mutinous man struck an officer not in the execution of his duty he was only liable to penal servitude; while if a man struck an officer in the execution of his duty in Wellington Barracks, where he was surrounded by all the safeguards of civil life, he was subject to the death penalty.

MAJOR NOLAN thought the clause very important. A commanding officer very rarely rubbed up against the temper of his men; but a non-commissioned officer, who was very often a young man only just promoted, very often did so. The man who forgot himself so far as to strike his officer ought to be very severely punished; but still he would not like him to be subjected to the penalty of death. The clause was a modification of the present law, and ought therefore, he thought, to be accepted.

MR. O'DONNELL pointed out that this clause decreed the punishment of death to any soldier who offered violence to his superior officer. Now, at home, if a private gave a sergeant a thorough trouncing, was there the least probability that he would be executed; even if he gave his commanding officer a thorough trouncing, was there the least probability either of his being sentenced to death? He could quite understand awarding such a punishment with the utmost severity in face of the enemy. By all means let them shoot anyone who was insubordinate then, and have no mercy; but they ought to make a distinction in the law, when they knew a distinction would be made in fact. What was the use of leaving this enactment on the Statute Book, when they knew very well it would not be carried out. It only gave a grim and gory look to the Article.

COLONEL MURE did not think he would do any good by dividing on his Amendment, so he would withdraw it.

Amendment, by leave, *withdrawn.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 9 (Disobedience to superior officer) *agreed to,* and *ordered* to stand part of the Bill.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

PROSECUTION OF OFFENCES BILL.

(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley.*)

[BILL 68.] COMMITTEE.

[*Progress 28th April.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Establishment of office of Solicitor for Public Prosecutions).

Amendment proposed,

> In page 2, at the end of the Clause, to add the words "No Assistant Director of Public Prosecutions shall be appointed for any longer term than five years; but any person vacating his office by reason of this provision may be re-appointed."—(*Mr. Rathbone.*)

Question proposed, "That those words be there added."

MR. SERJEANT SIMON said, he should certainly oppose the Amendment.

MR. ASSHETON CROSS said, the Amendment was proposed merely *pro formâ* to be negatived, and the words "seven years" substituted.

Amendment *negatived.*

MR. ASSHETON CROSS moved to add these words to the end of the clause—

> "No such Director of Public Prosecutions shall be appointed for any longer term than seven years; but any person vacating his office by virtue of this provision may be re-appointed."

MR. COLE pointed out that in another part of the Bill there was a clause requiring these Directors or Assistant Directors to give their whole time to their duties. But if a barrister or a solicitor gave up his practice to take this appointment, and at the end of seven years was to be thrown on his own resources, it would be very hard on him, for he would have lost his practice entirely. If a man were allowed to keep his practice, he could understand the Amendment; but, on the other hand, he thought it was most unfair to ask a man to give up everything to take the appointment, with the risk that at the end of seven years he would be thrown upon the world.

Mr. HERSCHELL thought the Amendment very fair. Any man who was appointed who did his duty properly would certainly be re-appointed; but, on the other hand, it was very desirable to retain this power, in order to prevent a person from obtaining a vested interest in his office simply because he had once been appointed to it. The only objection to the Amendment would be that it would prevent them from getting thoroughly efficient men, and he did not think there would be any difficulty about that.

Mr. ASSHETON CROSS pointed out that the Amendment distinctly made the officer eligible for re-appointment, and he was sure that no public servant was ever dismissed except on public grounds. No person, once appointed, would be dismissed, unless there was a *bonâ fide* reason for the dismissal.

Mr. WHITWELL reminded the Committee that whoever accepted the office accepted it under conditions which would be perfectly well known to him beforehand.

Mr. COLE was of opinion that a good deal depended upon the salary, which was not yet fixed.

Mr. ASSHETON CROSS replied, that it would be £1,000 annually.

Mr. COLE considered the salary to be given a very important point. Of course, they could get good men if they paid them well; but it was an objectionable feature that the whole of the regulations under the Bill were to be made by the Attorney General. He had the highest personal and professional respect for the present Attorney General; but still he thought they ought to know something about the arrangements which were contemplated. Were the Assistants to be one for a county and one for a borough, or what? Again, when it was said that they were to have good men, at a good salary, that depended in a great measure upon what work they were to do. If there was to be one Assistant only for each county, it might be worth their while to give that Assistant a good salary; but could they do it if there was to be one for each borough? Barristers, of course, would not take appointments of this sort, and even to solicitors in good practice, respectable men, they would have to give a very good salary to induce them to take such a situation. In ordinary boroughs he could not conceive that there would be sufficient work to enable them to pay a fair salary, or if they did pay a fair salary, it would constitute an enormous charge on the Consolidated Fund. If they knew what the regulations were going to be, they could deal much better with the Bill; but at present they did not know anything of them. The Bill was a mere skeleton Bill. What was to be done, for instance, in boroughs like Bristol, Plymouth, and Devonport? One Assistant would be enough, but in places like Liverpool they would want two or three.

Mr. ASSHETON CROSS said, that the hon. and learned Gentleman opposite (Mr. Cole) had declared that he had no notion how many persons were to be appointed under the Bill. He would point out to him that, in a former sitting of the Committee, words had been put in the Bill showing the number of persons to be appointed—namely, one head-man, and six under him. They had also inserted in the Bill the salary to be paid the head officer, and the hon. and learned Member would find that it had been fixed at a sum not to exceed £2,000 a-year. The salaries to be paid to the persons under the chief officer would be graduated by a scale similar to that. The hon. and learned Member also complained that he had not the slightest notion what duties these officers would have to perform. With regard to that matter, at the instance of the hon. and learned Gentleman the Member for Durham (Mr. Herschell), a clause had been inserted defining those duties, and expressly indicating the way in which the duties were to be performed.

Mr. COLE understood that on the occasion to which the right hon. Gentleman had alluded, when the Bill was in Committee, it was between 1 and 2 o'clock in the morning, and no notice had been given of any of these Amendments now said to have been made. Certainly, he thought that such important Amendments as had been mentioned to him ought to have appeared in the Orders of the Day or have been reprinted in the Bill.

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 4 (Delivery of recognizances, inquisitions, &c., to Solicitor for Public Prosecutions).

On the Motion of Mr. ASSHETON CROSS, the following Amendments were made:—

In page 2, line 9, leave out "Solicitor for," and insert "Director of;" page 2, line 14, leave out "Solicitor," and insert "Director;" page 2, line 18, leave out "Solicitor," and insert "Director;" page 2, line 20, insert as a separate paragraph—

"It shall be the duty of every clerk to a Justice or to a Police Court to transmit, in accordance with the regulations under this Act, to the Director of Public Prosecutions, a copy of the information and of all depositions and other documents relating to any case in which a prosecution for an offence instituted before such Justice or Court is withdrawn or is not proceeded with within a reasonable time."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 5 (Saving as to private prosecutors, and binding over persons to prosecute), verbally *amended*, and *agreed to*.

Clause 6 (Making of regulations); and Clause 7 (Interpretation), severally *agreed to*, and *ordered* to stand part of the Bill.

Clause 8 (Commencement of Act).

SIR WALTER B. BARTTELOT said, that this was a most important Act, and he thought a late date should be fixed for its commencement. Latterly, there had been complaints that Acts of Parliament had been quietly passed and had come upon people unawares. If the 1st of April were substituted for the 1st of January, 1880, he thought it would be better.

MR. ASSHETON CROSS promised to consider the question before the Report.

Clause *agreed to*, and *ordered* to stand part of the Bill.

MR. ASSHETON CROSS moved, in page 1, after Clause 3, to insert the following Clause—

(Qualification of Director of Public Prosecutions and of Assistants.)

"A person appointed to be the Director of Public Prosecutions, or to be an Assistant of such Director, shall be either a barrister-at-law or a solicitor of the Supreme Court of Judicature, and shall be in actual practice, and of not less standing, in the case of the Director, than ten years, and in the case of an Assistant, than seven years.

"The Director of Public Prosecutions, and any Assistant of such Director, shall devote his whole time to the Public Service."

Clause *agreed to*, and *added* to the Bill.

MR. ASSHETON CROSS said, that the new clause which stood next on the Paper was proposed by his hon. Friend the Member for North Warwickshire (Mr. Newdegate), who was not then in his place. He was willing to move it with some slight modification. The clause, as it now stood in the name of his hon. Friend, ran as follows:—

"(If Director abandon prosecution aggrieved parties may proceed.)

"Where any criminal proceeding has been instituted or undertaken by the Director of Public Prosecutions, any person who would otherwise have had the right to institute and carry on such proceedings may, if he have good cause for so doing, show by affidavit to any Judge of the High Court of Justice, that such Director of Public Prosecutions has abandoned such proceedings, or has neglected duly to carry on the same, and such Judge, after hearing such Director of Public Prosecutions, may give such directions as to the mode in which such proceedings shall be continued by such person so applying, or by the said Director of Public Prosecutions as to the said Judge shall appear right."

It seemed to him that, as the clause stood, it would be very likely to materially interfere with the existing power of the Attorney General to enter *nolle prosequi*. He proposed, therefore, in order that his hon. Friend might have an opportunity of bringing the matter up upon Report, to move a clause similar to his with a slight modification. He proposed that aggrieved parties might show, by affidavit to the Attorney General, that the Director of Public Prosecutions had abandoned proceedings, and that the Attorney General, after hearing the Director, might give such directions with regard to the continuance of the proceedings as he should think fit.

Clause, as amended, *agreed to*, and *added* to the Bill.

House *resumed*.

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 147.]

COMPANIES ACTS AMENDMENT BILL.

(*Sir John Lubbock, Mr. Coope, Mr. Herschell, Sir Charles Mills.*)

[BILL 102.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title) *agreed to,* and *ordered* to stand part of the Bill.

Clause 2 (Construction of Acts).

MR. COURTNEY confessed that the Bill appeared to him to be one of very doubtful benefit, although it might be equally true that nothing positive could be said against it. It enabled a Company which had accumulated profits and a reserve fund, to divide them amongst the shareholders, so as to reduce the capital stock by the amount re-paid. The hon. Baronet who had charge of the Bill (Sir John Lubbock) had endeavoured to show that the creditors would have an increased security in case of the company being one of limited liability, for he said they could come upon this further reserve. But in the case of a non-liability Company the Bill would not have that effect, but would diminish the security of creditors. It would slightly diminish the security of the creditors, because shareholders would be more likely to divide accumulated profits than they were before. There appeared to him to be this objection to the Bill—that it would cause considerable difficulty to some classes of persons interested in shares of Companies in the event of any distribution taking place under the provisions of the Bill. Considerable questions would arise between persons who might be entitled for life and in remainder to the shares, as to whom the money so divided belonged. But the main objection to the Bill was that it proposed that when one thing was done it should be called by another name. It proposed that accumulated profits should be divided; but it proceeded to say that they should be returned as capital. The entries on the books of a Company would, therefore, not correspond in reality with what had been done. The Bill did not enable a Company to do more than it could do at present; but it did enable them to do that, and call it by another name. In fact, a Company was enabled to perform a transaction by a different name in the books from what it in reality was. He trusted that Parliament would not give its sanction to what was a misrepresentation.

SIR JOHN LUBBOCK thought the remarks of the hon. Member (Mr. Courtney) were made under some misapprehension. The cases the Bill was intended to meet were when Companies started with a large amount of paid-up capital, and some time afterwards, finding they had more than they wanted, they desired to return it to the shareholders. Under the existing Companies Acts, that process was impossible, except by complicated arrangements, which were so difficult as to be almost out of the question. There were Companies at the present time which had accumulated profits, by which they were in possession of a larger sum of money than they required, and they were anxious to return it to the shareholders in the manner indicated by the Bill. He did not think any difficulty would arise in the way suggested between tenants for life and in remainder; he might, however, say that they did not propose to give directors any further power of returning money to the shareholders than they had at present. But it was considered an advantage by persons connected with Companies that they should be enabled to do that in the manner provided by the Bill. They considered that were this money returned by way of bonuses or of dividends, it would probably give rise to a considerable amount of speculation; and those *bonâ fide* interested in the welfare of Companies preferred to make payment to the shareholders in this form. In the case of non-limited Companies, the Bill would make no difference whatever to the public, who were neither benefited or injured; but in the case of limited Companies, so far as the public were concerned, they would be in a better position than before. It did not seem to him that there was any reason for saying the Bill proposed to sanction one proceeding and call it by a wrong name, and he hoped that the clause would be agreed to, and the Bill passed through Committee.

THE LORD ADVOCATE (Mr. WATSON), in moving that the Chairman do report Progress and ask leave to sit again, said, that in the case of a non-limited Company there would not be any great objection to the Bill; but, at the same time, it must be felt that the objection raised by the hon. Member for Liskeard (Mr. Courtney), that the Bill enabled a Company to perform an operation of one sort and to call it by a different name, was well-founded. In the case of limitation by shares or by guarantee, the effect of this proceeding would be to substitute for paid-up capital simply the personal liability of the shareholders for the time being. In the event of money being so returned to the shareholders, there would be no guarantee of its remaining safe in their hands, or of their continuing members of the Company; and, in that case, the only security creditors would have would be the personal liability of shareholders, who might be quite unable to repay it.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*The Lord Advocate.*)

SIR JOHN LUBBOCK observed, that the hon. and learned Solicitor General had looked into and approved the Bill. With respect to the remarks of the right hon. and learned Lord Advocate, he trusted that if he considered the matter he would come to the conclusion that they did not apply. Admittedly, in the case of a non-limited Company they did not apply; and in the case of a limited Company, even if the shareholders were unable to pay the amount of the share to which they would be liable, the public would not be injured; because it was only proposed that the shareholders should be able to act in the manner provided where they were at present able to return the money by way of dividend or bonus. It was clearly an advantage to the public to have the liability of the shareholders increased by the amount returned to them, rather than that the shareholders should receive it by way of dividend. The money was now payable as dividend or bonus; but, in that case, the public could not get it back again. The Bill proposed to enable Companies to return the money as paid-up capital, and thus to give the public an additional security.

THE LORD ADVOCATE (Mr. WATSON) remarked, that what was proposed to be done was really to give limited liability Companies a power to increase the amount of their unpaid-up capital. It was a matter of serious consideration how far that ought to be permitted in the case of a Company already trading with the public. It was a matter which deserved careful consideration, as to whether a Company should be permitted to extend its liability for unpaid-up capital at any moment. The approval of the House to this clause was tantamount to permitting a limited Company to diminish its paid-up capital and to increase the amount of its unpaid stock at any period without consulting its creditors, and for the purpose only of augmenting its own credit. It appeared to him that that involved a great deal of very debatable and very doubtful matter. If this process were done for the sake of increasing the credit of the Company, he was not sure that it would be to the public advantage; and it was not quite accurate to say that the Bill only enabled a Company to do what it was entitled to do already, because it enabled a Company to do that which might be conpetently effected already, and to give a wrong name to the transactions. He did not say that the Bill should be rejected; but he considered there was matter for very careful consideration in it—namely, whether limited Companies should be permitted to extend their credit without check in the manner proposed.

MR. J. W. BARCLAY asked if they might not take a practical example of how the Bill might be used in the case of the limited liability Companies known as Mortgage Companies? The articles of association of such Companies frequently provided, for instance, for shares of £10, with £2 to be paid up; and the Company undertook, under their articles of association, that their borrowing should not exceed their unpaid capital. It would be a very serious thing, if the public had lent money to such Companies on the security of £2 being paid up, and then £1 of the paid-up capital were afterwards returned. The liability on the shares would then be 9 to 1, instead of 8 to 2, and the security, instead of being greater, would be weaker. He should support the Motion to report Progress, because he thought it desirable that the Bill should be further discussed.

SIR JOHN LUBBOCK said, his hon. Friends opposed the Bill on exactly opposite grounds. This money could at present be returned to the shareholders by way of dividend and bonus, and, therefore, the public could not be damaged by this Bill. Then the right hon. and learned Lord Advocate complained that the public would have a right to call for more money if required. He appeared to object to this in the interests of the shareholders; but, then, this change could be never made, except with the consent of the shareholders and of the Court. Everything would, in fact, be done in the most open and straightforward manner, and everybody would know what was taking place. If the shareholders did not wish to give this additional security, they need not; and if they wished to do it, why should they not be permitted to do so?

THE LORD ADVOCATE (Mr. WATSON) replied, that if the shareholders were allowed to do this in one case, he did not see why they should not be allowed to do it in all.

Question put, and *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

MOTIONS.

MARRIAGES CONFIRMATION (HER MAJESTY'S SHIPS) BILL.

LEAVE. FIRST READING.

MR. A. F. EGERTON, in moving for leave to bring in a Bill to remove doubts as to the validity of certain Marriages of British subjects on board Her Majesty's Ships, said, it required but a word of explanation. For many years marriages had been permitted on board Her Majesty's ships; but recently, the Law Officers of the Crown had advised that such marriages were invalid. This Bill was to confirm those marriages, and to settle the law.

Motion *agreed to.*

Bill to remove doubts as to the validity of certain Marriages of British subjects on board Her Majesty's Ships, *ordered* to be brought in by Mr. ALGERNON EGERTON, Mr. WILLIAM HENRY SMITH, Sir MASSEY LOPES, and Mr. STAVELEY HILL.

Bill *presented,* and read the first time. [Bill 149.]

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (BOTHWELL) BILL.

On Motion of The LORD ADVOCATE, Bill to confirm a Provisional Order made under "The Public Health (Scotland) Act, 1867," relating to the parish of Bothwell, in the county of Lanark, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary CROSS.

SITTINGS OF THE HOUSE.

Resolved, That whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869.—(*Sir Henry Selwin-Ibbetson.*)

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 2nd May, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Public Health (Scotland) Provisional Order (Castle Douglas) * (68).
Committee—Report—Poor Law Amendment Act (1876) Amendment (34); Petty Customs (Scotland) Abolition Act Amendment * (33).
Third Reading—County Courts * (62); General Police and Improvement (Scotland) Provisional Order (Paisley) * (57); General Police and Improvement (Scotland) Provisional Order (Inverness) * (56), and *passed.*

SOUTH AFRICA—THE ZULU WAR—THE CONDITIONS OF PEACE—LATEST TELEGRAMS.

QUESTION. OBSERVATIONS.

EARL GRANVILLE: I beg to ask the noble Earl the Under Secretary of State for the Colonies, Whether any instructions respecting possible conditions of peace in South Africa have been sent out other than those which have been presented in the last Blue Book? The knowledge that the public have derived from the Parliamentary Papers is that Sir Bartle Frere has stated that no peace is possible until the Queen's supremacy is established from the Atlantic to the Indian Ocean; and it has been stated that he is of opinion that his Ultimatum must be adhered to, with certain additions. The last despatch of the last Blue Book showed that the Government had withdrawn from Sir Bartle Frere any discretion in the matter of the conditions of peace. The Secretary of State for the Colonies expressed doubt as to some of the provisions of the Ultimatum, and went on to say—

> "When it becomes possible to decide upon the conditions on which peace can be made, the terms dictated to Cetewayo in December last will naturally come under consideration as affording in a greater or less degree a basis for a settlement. But you will understand that the views which I am about to express are necessarily subject to modification by future events, and you will, of course, submit all demands and stipulations for the approval of Her Majesty's Government before peace is concluded. . . . . Her Majesty's Government, though desirous by every legitimate means in their power to promote the civilization of the Zulus, are not prepared to sanction any further interference with the internal government of the country than may be necessary for securing the peace and safety of the adjacent Colonies, and I will explain to you how far I think the conditions proposed in your messages may become applicable to such a policy. The appointment of duly authorized agents of the Government to reside in the Zulu country would seem desirable in order to protect the rights and interests of British subjects, to keep the High Commissioner informed of any movement on the part of the Natives of a disorderly or warlike character, and to secure the maintenance of a good understanding between the Colonists and the inhabitants of Zululand. It will be essential to insist upon the discontinuance of the present military system, and care should be taken to lay down and provide for the observance of such regulations on this subject as, while leaving to the Zulus the power of protecting themselves against neighbouring Native tribes not under our control, will secure the future peace and safety of our Border. . . . I trust that this expression of my views on some of the leading questions which may before very long present themselves for consideration may be serviceable for your guidance; but they are questions as to which I should desire to have your further opinion when the time for action has arrived, and it is my wish that, as far as possible, you should avoid taking any decided step or committing yourself to any positive conclusion respecting any of them until you have received instructions from Her Majesty's Government."

These instructions, I presume, have long since been sent out. Without them, the position of affairs in South Africa might be seriously damaged. It is reported that Cetewayo has offered to make peace; but these offers have been denounced by the local authorities as of an illusory character. Since that time our gallant soldiers have extricated Colonel Pearson from his perilous position and have successfully defended their intrenched camp. It is, therefore, not impossible that Cetewayo may make serious propositions of peace. He may be ready to give in on such terms as may appear reasonable to Her Majesty's Government. But Sir Bartle Frere's hands are tied. He can only promise an answer in seven weeks. Such an answer would only be considered as a trick by the barbarian King; and even if he were to consent to some sort of armistice—a difficult thing in such circumstances—what would not be the delay and the unnecessary expense which would be incurred, and what might not be the risk to the health of our troops, exposed in a state of inaction to risks of strategic, but unhealthy positions, which it would be necessary for them to maintain? I feel sure that such a state of things must have been anticipated by instructions from home; but it would be satisfactory to the House to know it as a fact. I should also be glad to know whether these instructions could, with propriety, be produced?

EARL CADOGAN: The noble Earl, in putting his Question, has referred to the despatch of the Secretary of State for the Colonies, dated the 20th of March, and he has read a paragraph at the end of it which will form the basis of my answer to the Question, but to which he has attached a significance it will hardly bear. The noble Earl stated that the Government had by this despatch entirely taken away all discretion from Sir Bartle Frere in the matter of the conditions of peace. It is quite true Sir Bartle Frere has been told to avoid, as far as possible, taking any decided step, or committing us to any positive conclusion, in respect of any of these questions, until he has received instructions from Her Majesty's Government; but in the same paragraph it is stated that the Government desires to have a further expression of opinion from Sir Bartle Frere on these matters when the time for action has arrived. The despatch of the 20th of March contains a statement, which the noble Earl read, of the points which had to be considered when the terms of peace came to be arranged; but, as I have said, it concludes with a request that he would send a further opinion on these questions when the time for action had arrived. To this despatch no reply has been received—

nor could any have been received; and Her Majesty's Government did not deem it advisable to send any further instructions respecting the possible terms of peace until the reply from Sir Bartle Frere had reached them. I may, however, state that since that date a further despatch has been addressed by the Colonial Secretary to Sir Bartle Frere, dated the 10th of April. It will be laid on the Table in a few days; but I will read a passage from it, which is as follows:—

> "I entertain much hope that the troubles now existing or anticipated may disappear, either independently of, or as a consequence of, that complete settlement of the Zulu difficulty which I join with you in trusting to see speedily effected. But if this expectation should, unfortunately, not be fulfilled, you will be careful to bear in mind that Her Majesty's Government are not prepared to sanction any further extension, without their specific authority, of our responsibilities in South Africa; that their desire is that the military operations now proceeding should be directed to the termination at the earliest moment, consistent with the safety of our Colonies and the honour of our arms, of the Zulu question."

My Lords, I will also read telegrams which have been received this day at the Colonial Office, and which are as follows:—

> "From Sir Bartle Frere, Pretoria, to Secretary of State, Colonial Office.—April 11.—Arrived here all well last night after friendly visit to Boer camp. I am to meet committee again to-morrow a few miles out of town. With exception of small, very violent minority, the leaders appear generally open to reason. All arrangements of his Excellency the Administrator and of Colonel Rowland, commanding Her Majesty's Forces here, are excellent."
>
> "Government House, April 15.—All is perfectly quiet in Caffraria and on the Eastern Border generally. In Basutoland disturbances are confined to the tribe of Morosi, whose stronghold is invested by Colonial Force. News from Northern Border also satisfactory. No special news from Natal. Lord Chelmsford and staff at Durban, leaving shortly for Maritzburg."

The Earl of KIMBERLEY said, he hoped it would not be considered that the sentences read from the unpublished despatch constituted any answer to the Question of his noble Friend. He would not discuss how far Sir Bartle Frere's hands had been tied; what they wanted to know was what instructions had been, or would be, given as to the terms on which he might conclude peace? He (the Earl of Kimberley) was reluctant to refer to anything personal to himself; but, in the nearly analogous case of the Ashantee War, which was not so serious a matter as this, Her Majesty's Government sketched out the terms of peace that might be concluded. Of course, it was not possible to determine exactly what they should be, and, as must always be the case, a considerable discretion was left to Sir Garnet Wolseley; but, at the same time, the general lines on which he might negotiate were laid down. If he had been left without such instructions, he must have been at a loss to know how to proceed; and Sir Bartle Frere, or any man in his position, could not know what terms of peace he might offer or entertain. Therefore, his noble Friend was justified in expressing some degree of disquiet at the present situation.

Earl CADOGAN said, he was sorry his answer was unsatisfactory to the noble Earl; but he could only repeat that the sentences the noble Earl (Earl Granville) had read from the despatch showed clearly the bases of the terms on which Her Majesty's Government were prepared to insist as conditions of peace; and it was impossible for Her Majesty's Government to send further instructions at this moment to Sir Bartle Frere as to the terms of peace. But he could not admit that the instructions contained in the despatch of the 20th of March were merely of a negative character; seeing that in that despatch it was clearly stated that Her Majesty's Government were disposed to insist on the establishment of British Residents in Zululand, and on the modification of the present Zulu military system, and these two points were the most important of the conditions of the Ultimatum sent by Sir Bartle Frere with the Boundary Award.

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL—(No. 34.)

(*The Lord Norton.*)

COMMITTEE.

House in Committee (according to Order).

On the Question that the Preamble be postponed?

Earl FORTESCUE said, he despaired of inducing their Lordships to reject the clause which placed members of Friendly Societies in a different position from other members of the community, and he should therefore endeavour to limit its operation by the Amendments he had placed on the Paper.

Preamble *postponed.*

Clause 1 (The provisions of sec. 23 of the Divided Parishes and Poor Law Amendment Act, 1876, not to apply to monies to which a pauper or pauper lunatic may be entitled as a member of a friendly or benefit society).

EARL FORTESCUE proposed, in line 7, to leave out the words "pauper or"—the effect of which would be to prevent the payment of monies due from a Friendly Society to a pauper or a pauper's family. He thought it quite reasonable, and in the interest of the ratepayers themselves, to deal exceptionally with the case of pauper lunatics; but with regard to ordinary paupers, he saw no reason why an exceptional provision should be retained in the Bill in favour of members of Friendly Societies. He was not indifferent, far less hostile, to Friendly Societies. For the last 30 years he had been President of one of the largest of those Societies in the West of England, and he had looked particularly to the soundness of that Society. Friendly Societies throughout the country were increasing both in numbers and soundness; and with increasing numbers and improving soundness they required no exceptional bounty, such as that given by this Bill.

THE EARL OF MORLEY said, he adhered to the opinion he had expressed last year when he supported an Amendment similar to the present. But while he was opposed to the principle of the Bill, the matter was really not very important; and, looking to the strong feeling which had been expressed throughout the country in favour of the Bill, he should, out of deference to public opinion, support it.

LORD NORTON said, that the Bill simply reverted to the principle in force before 1876. He denied that any exceptional bounty was given to Friendly Societies by this Bill. What it did was to remove a supposed power under the Act of 1876 from the Guardians to attach the allowances due to members of Friendly Societies for the relief given to a pauper. The pauper would still be liable to the Guardians, on any money coming in to him, for the cost of his maintenance, and could be sued by them; but the officers of Friendly Societies complained—and he thought with justice—that they should have to pay the money due from them to their members to the Guardians, instead of its being applied directly to the maintenance of the member's family, and recovered by the Guardians from them if necessary. The Amendment, if carried, would be fatal to the Bill, in favour of which no fewer than 1,900 Petitions had been presented, with 127,000 signatures.

THE EARL OF SHAFTESBURY opposed the Amendment. When he introduced the Bill last year the feeling of the country in its favour was intense, and it was ten times more so now. It was an honourable feeling on the part of the people, who had a notion that it tended to encourage thrift; and if there was one thing more than another which it was desirable to encourage in the English people, it was the practice of thrift. It would be wise, therefore, to depart from the rigid principles of political economy in this case. The funds in question could not be considered property in any sense. They could not be bequeathed, drawn out, or traded with; it was only in the contingency of sickness that benefit was derived from them. He hoped their Lordships would pass the Bill, and give satisfaction to a large body of people.

EARL GRANVILLE said, the real question was, what was best in the long run for the people themselves? He thought there was some necessity for concession in this case. The feeling was almost universal, and was excessively strong, in favour of the Bill, which had passed in its present shape through the House of Commons. In a matter which did not go to a very great practical extent, he thought their Lordships would be right in rejecting the Amendment.

EARL DE LA WARR said, that the pauper himself would not be a bit better off for the clause. The only difference would be that the Guardians would have the power of suing the pauper instead of the Friendly Society.

EARL FORTESCUE, in reply, contended that the Bill contained a new principle which was not in the law previous to 1876.

Amendment *negatived.*

EARL FORTESCUE moved, to leave out, in line 8, the words "other relative dependent on him." The word "relative" appeared to him to be dangerously wide in its meaning. He would limit the effect of the clause to wife, child, parent, grandfather, or grandmother unable to maintain himself or herself. A great portion of the Petitions in favour of the Bill limited the words to wife or children, father or mother, so that what he proposed went beyond the prayer of those Petitions.

Amendment *moved*—

Line 8, leave out "other relative dependent upon him for maintenance" and insert "child, or parent, grandfather or grandmother, incapable of maintaining himself or herself and previously regularly maintained by such pauper lunatic."—(*The Earl Fortescue.*)

THE MARQUESS OF RIPON suggested that "grandchildren" should be inserted, as they were often dependent for support on the persons contemplated by the Bill.

LORD NORTON thought it would be worth considering to add other relative "legally" dependent.

EARL FORTESCUE said, he would accept the suggestion, provided the words "and previously regularly maintained" were also added.

THE LORD CHANCELLOR said, that an Amendment of that kind would be very little worth, and might cause a great deal of trouble.

THE EARL OF KIMBERLEY said, it was reasonable to limit the liability as it was now limited. Certain persons were bound to support certain others, and it was only reasonable to make the law coincident with the obligation. It was desirable to have the law precise, otherwise those who had to administer it would experience great difficulty.

THE EARL OF DERBY wished to know whether the word "relative" was capable of any legal definition?

THE LORD CHANCELLOR said, his strong impression was that "relatives" meant, in law, those who were next of kin, and that the term would not apply to relations by marriage.

Amendment *negatived.*

Clause *agreed to.*

Preamble *agreed to.*

Bill *reported*, without Amendment, and to be read 3ª on *Monday* next.

Earl Fortescue

WEST DONEGAL RAILWAY BILL.

RESOLUTION.

VISCOUNT LIFFORD *moved*—

"That the House of Lords having affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible."

THE EARL OF REDESDALE thought the Motion would lead to delay, and was too wide to lead to any practical advantage.

LORD CARLINGFORD supported the Motion, because he thought the attention of the Board of Trade ought to be called to the terms of the Resolution recently adopted by that House.

After a brief conversation, which was inaudible—

THE LORD CHANCELLOR said, it would, perhaps, be sufficient if the attention of the Board of Trade were called to the Resolution passed by their Lordships' House on the 24th of April in respect to Irish railways. He, therefore, suggested an alteration in the terms of the present Motion, so as to invite the Board of Trade to have regard in their Report to the Resolution above mentioned.

Amendment made accordingly.

Motion, as amended, *agreed to.*

Ordered, That the House of Lords having by resolution of the 24th of April last affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible, having regard to that resolution.—(*The Viscount Lifford.*)

House adjourned at half-past Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 2nd May, 1879.

MINUTES.]—PRIVATE BILLS (*by Order*)—*Second Reading* — Derby Improvement*; Knutsford Light and Water*; Plymouth and Stonehouse Gas*; Preston Gas*; Stourbridge Gas*; Wisbech Gas*.

PUBLIC BILLS — *Ordered* — *First Reading*—Local Government Provisional Orders (Aspull, &c.) * [151].

First Reading—Customs and Inland Revenue * [150]; Public Health (Scotland) Provisional Order (Bothwell) * [152].

Second Reading—Game Laws Amendment (Scotland) [143].

Committee — Valuation of Property [71], *deferred.*

Committee—Report—Companies Acts Amendment * [102].

Considered as amended—Public Health (Scotland) Act (1867) Amendment * [107].

COMMITTEE ON PRIVATE BILL.

GLASGOW MUNICIPAL EXTENSION, &c. BILL—BREACH OF PRIVILEGE.

Leave given to the Committee on the Glasgow Municipal Extension, &c. Bill to make a Special Report.

Special Report *brought up,* and read, as followeth:—

"That in the case of the Glasgow Municipal Extension, &c. Bill, the Committee had agreed to the following Special Report:—

"In the course of the inquiry into the matters referred to the Committee, it was alleged by the Promoters of the Bill that it had been ascertained that a Petition of Owners and Occupiers of Property against the Bill contained forged Signatures. The Committee considered it to be their duty to inquire into this allegation, as it appeared to them to contain a charge of contravention of the Rules and Orders of the House amounting to a breach of privilege.

"Witnesses were therefore summoned before the Committee, from whom it was elicited that a breach of privilege has undoubtedly been committed.

"It is therefore the duty of the Committee to report the same to the House, and to state that they decided that the Petitioners could not be heard on a Petition found to have been prepared and signed without due regard to the Rules and Orders of the House."

ADMIRAL EGERTON: With reference to the Report which has just been read, I wish to give Notice that I shall call attention to the matter referred to therein on Monday next, and move a Resolution.

Special Report to be taken into Consideration upon *Monday* next, and to be *printed.*

QUESTIONS.

MERCHANT SHIPPING ACTS—LOSS OF THE "GIPSY QUEEN."—QUESTION.

MR. MAC IVER, who had a Question on the Paper asking the President of the Board of Trade, If it is true that the certificate of Mr. George Chaddock, late master of the schooner "Gipsy Queen," lost on Kimmeridge Ledges, near St. Alban's Head, on 2nd December last, was, at a Court of Inquiry held in Glasgow before two borough justices, suspended for six months upon the evidence of part of the crew; whether he is aware that the principal witnesses have since the trial admitted their statements made in court to have been untrue; whether there is now any practical appeal from such a decision, and if it is the case that Mr. Chaddock still remains without his certificate, and that the Board of Trade are withholding its return in order to avoid rendering the department liable to an action for damages; and, whether it is the fact that Mr. Chaddock is a person of undoubted good character, and that certain allegations have been made in regard to insurance which would seem to indicate that the Board of Trade has prosecuted the wrong man, and that there should in consequence be some further inquiry? said that, with the permission of the House, he would withdraw that portion of his Question which referred to allegations in regard to insurance; but that, in justice to the owners of the vessel, he could hardly do so without a word of explanation. This vessel, he found, belonged to respectable people, and there was not the smallest reason to suppose that the mishap was otherwise than accidental.

VISCOUNT SANDON: It is impossible for me to go into this long case within the limits of the answer to a Question. I shall be happy to show my hon. Friend a letter which I addressed lately to the gentlemen who brought Mr. Chaddock's case before me, which fully explains the whole matter. I shall probably think it desirable to lay the Papers on the Table of the House, as considerable interest has been felt in many quarters on the subject. I must, however, so far answer the general part of the Question as to say that there is an appeal in these cases to the Board of Trade, who have the power of returning the certificate; but that, as we have no power to examine witnesses or to try the case over again, we do not consider ourselves justified in interfering with the decision of a duly-constituted Court except under very special circumstances. I am somewhat surprised at my hon. Friend's other Questions. I think it hardly necessary for me to say that if I believed the wrong man, as his Question suggests, had been prosecuted, I should not hesitate to avow our mistake and to act accordingly; and that I should never think of declining, as he suggests, to return a certificate, if the justice of the case demanded it, in order to avoid rendering the Department for which I am responsible liable to an action for damages.

INLAND REVENUE—INHABITED HOUSE DUTY — MECHANICS' INSTITUTES.—QUESTION.

Mr. STANLEY LEIGHTON asked Mr. Chancellor of the Exchequer, Whether he will take into consideration the propriety of extending to mechanics' institutes and public halls the same exemption from Inhabited House Duty which is granted by the 41 and 42 Vic. c. 15, s. 13, to business premises?

The CHANCELLOR of the EXCHEQUER: I cannot undertake to do so. The exemptions from the Inhabited House Duty are already very large.

NAVY — DISTINCTIVE BADGES OF ENGINE ROOM ARTIFICERS.

QUESTION.

Sir DAVID WEDDERBURN asked the First Lord of the Admiralty, Whether his attention has been directed to the fact, that the engine room artificers in the Navy continue to regard with a strong feeling of distaste the distinctive badge which they have been ordered to wear since February 1878; and, whether he has been able to modify his decision announced in August last, that "the imperative necessity of requiring obedience to orders when given" is a sufficient reason for continuing to enforce the use of the badge?

Mr. W. H. SMITH: In answer to the hon. Baronet, I have to say that my attention has been directed to the circumstances to which he refers by my hon. Friend the Member for Devonport (Mr. Puleston), but in no other way. I have several times expressed my opinion on the subject; and I continue still of the opinion I expressed in August last, that it is necessary that the rank of the petty officers in the Royal Navy should be known by the uniform they wear.

CUSTOMS RE-ORGANIZATION.

QUESTION.

Mr. J. CORRY asked the Secretary to the Treasury, If the Customs re-organisation scheme will include the outport out-door officers?

Sir HENRY SELWIN-IBBETSON, in reply, said, the scheme did not affect the outport out-door officers, who were fully dealt with in the re-organization scheme of 1876. The present scheme referred to the outports and London clerical staff.

RUSSIA—STATE PROSECUTIONS.

QUESTION. PERSONAL EXPLANATION.

Sir ROBERT PEEL, in rising to ask Mr. Chancellor of the Exchequer the following Question: — Whether, inasmuch as some years ago, in the interests of humanity, the Government of the day took steps to mitigate the horrors of the State prosecutions of the Neapolitan Government, Her Majesty's present Government propose to take any steps, in the interests of humanity, towards mitigating the severities of the State prosecutions now being carried on, under the state of siege, in Russia, said: I beg leave, with your permission, Sir, and the kind indulgence of the House, to be allowed to say a few words of personal explanation, and also in reference to and in explanation of the Question which appears in my name upon the Paper. Since my arrival, two minutes ago, from the country, I have received a communication from the right hon. Gentleman the Chancellor of the Exchequer, couched in the most courteous terms; and I venture to assure the right hon. Gentleman that I never for one moment intended to hint or insinuate that his absence from his place last Wednesday was intentional. I know the occupations of the right hon. Gentleman, and but for another incident, when I saw he was not in his place, I should have withdrawn the Question of which I had given Notice, without one word of comment, until such a time as would have been convenient to the right hon. Gentleman. I will go further, and say that, so far from wishing to make any reflection upon the right hon. Gentleman, I maintain that, which every person in this House will reciprocate—namely, that the well-known courtesy of the right hon.

Gentleman, his good temper, and the patient forbearance which has characterized him in the discharge of his arduous duties as Leader of this House, have insured to him—and most justly insured to him—the esteem, respect, and consideration of every Member of this House. Now, Sir, I wish, with the permission of the House—and I do so most anxiously—to refer to the other incident to which I have alluded. I gave on Tuesday last public Notice of a Question, and I came down here on Wednesday morning to put that Question. I sat in the House for some time on Tuesday afternoon in order to listen to the speech —I always listen to him with admiration—of the hon. Member for Newcastle (Mr. J. Cowen), and not one word was said to me in reference to my Question. But when I came down here on Wednesday morning I saw a Notice of a Question in my name which omitted altogether a reference which I desired to make, and which made it appear that I sympathized with a Nihilist conspiracy in Russia. Now, of course, nothing could be further from my intention than that, and I declined to put the Question. The Question which I put upon the Paper—of course, I bow with all respect and reverence to the decision of the Chair; I do not wish to contest the decision of the Chair for one moment—but I did introduce the name in my Question —I believe perfectly in accordance with precedent—of the right hon. Gentleman the Member for Greenwich, and I referred to the noble appeals that he made in 1851 and 1852 with reference to the state of things in Naples, for the purpose of giving weight to the Question I was about to put; and the name of the right hon. Gentleman was omitted from the Question which was put upon the Paper in my name. I will not say another word about this; but I wished to refer to the name and appeals of the right hon. Gentleman the Member for Greenwich for this reason:—The right hon. Gentleman and many others—myself among the number—frequently drew the attention of Parliament in 1851 and 1852 to the state of things in Naples, not because we expected a satisfactory answer in this House, but in order to excite the attention of the House, and to strike a chord of sympathy in this country for those who were suffering in Italy.

MR. SPEAKER: When putting a Question, every Member of this House is entitled to make such explanation as may be necessary to make his Question plain to the House; but I am bound to say that the right hon. Baronet seems to me to be passing beyond the bounds of an explanation of that kind, and that he is out of Order.

SIR ROBERT PEEL: Then, Sir, I will merely say that I had introduced a reference to the right hon. Gentleman the Member for Greenwich in my Question, for the purpose of adding weight to that Question. That has been omitted from the Question which is now upon the Paper, and to which I beg to ask from the Government a reply. I say that, of course, I do not expect to get a very satisfactory reply; but I put it for the purpose of exciting attention, and touching a chord in the country.

THE CHANCELLOR OF THE EXCHEQUER: In answering the Question of my right hon. Friend I wish, in the first place, to express to him and to the House my regret that I was not present on Wednesday, as I should undoubtedly have been had I known that he wished to put a Question to me. In saying this, let me add that I feel very much indebted to him for the very kind language which he has used towards me, but which is more than I deserve. As far as the Question of my right hon. Friend is concerned, I can only say that the Government have not received any communication on the subject of the prosecutions now being carried on in Russia, and it would not be consistent with their duty to interfere with the internal affairs of that country. My right hon. Friend, when giving Notice of his Question, reminded the House, as a ground for his Question, that steps were taken some years ago with reference to State prosecutions in Naples; and he referred to some very remarkable pamphlets which were published at the time by my right hon. Friend the Member for Greenwich —pamphlets which received, as they deserved, great attention. What took place in regard to those pamphlets I believe was this—that they were sent by our Foreign Office to the Representatives of this Government at all the Courts of Europe, to be communicated to the foreign Ministers of those Courts, except the Court of Naples itself. That did not seem to have led to any direct advantage at the Court of Naples, though at a later period some unofficial communications were made to the Neapolitan Government; but the more important representations that were afterwards made to that Government were made in consequence of the Proctocols of the Treaty of Paris of 1856. Upon those Protocols, no doubt, representations were made by the Governments of France and of England to the Government of Naples, and, those not being favourably received, ultimately the Ministers of the two countries were withdrawn from the Court of Naples. I do not think that the experience then gained was of a character to encourage us to repeat any proceedings of that sort, even if we had the same grounds to go upon as the very remarkable pamphlets which on that occasion were placed in the hands of the Government by a gentleman of high authority, and were founded upon his own personal experience and observation.

Major O'GORMAN: I beg, Sir, to move that this House do now adjourn. I do so for the purpose of putting myself in Order with reference to the Question put to the Chancellor of the Exchequer by the right hon. Baronet opposite. I must say that I regard the conduct of Her Majesty's Government with respect to foreign Governments at this moment as something like that pursued by the young nobles of ancient Rome when they were in their cups. When they left their clubs and walked down the streets of Rome they insulted and abused every poor and unprotected person whom they met on the way; but it was very strange, Sir, that when they encountered the Ædile of the City they did not appear to be under the influence of drink at all. They were in a moment perfectly sober; they knew how to conduct themselves then. It is the same case with Her Majesty's Government now. Her Majesty's Government can insult the Afghans, the Zulus——[" Order!"]

Mr. SPEAKER: The hon. and gallant Gentleman is not entitled to apply language of that kind to any body of Members in this House; and I must, therefore, call upon him to withdraw the terms in which he speaks of Her Majesty's Government.

Major O'GORMAN: I bow to your decision, and withdraw the expression

"insult;" but I say that they trample them under foot. They trample the Afghans under foot—they have declared war against Afghanistan for no reason whatever, and contrary to solemn promises and Treaties. They have acted similarly with regard to Zululand. They have waged war through a new King that they have erected—Sir Bartle Frere the First, the Audacious. They have actually sent out a letter censuring him, and now they stand by him and declare he may proceed in murdering the Zulus. It is nothing else, Sir—nothing else whatever. Sir, the Government of this day are intoxicated with their immense majorities and with the enormous sums of money they have drained from the taxpayers of this country, and these are the reasons, I say, why they feel disposed to trample upon the liberties of peoples. The Ædile to them at the present moment, Sir, is—who? The Emperor of Russia. They dare not declare war upon him; they know that he is backed by upwards of 1,000,000 soldiers, and 1,000,000 Germans besides. He, therefore, is the Ædile; and although the Government are intoxicated with everything that is fortunate, they well know how to behave themselves when they encounter the Ædile. We all know—anyone can see it in the papers by reference—that many years ago armed bands of Volunteers marched through the streets of Liverpool with colours flying, music playing, and bayonets fixed, for the purpose of going out to fight the King of Naples, who was our friend, with whom we were not at war, but at perfect peace. That was done some years ago, and the Government of the day never took the slightest notice of it. General Garibaldi came over here, and was *fêted* by Dukes, Marquesses, and Earls. Everyone must have known that he was the greatest Revolutionist in Europe, who fought against Kings, and was assisted by us, in order that they should be dethroned by him. He made one tremendous mistake, however. He went down to the Crystal Palace, and, addressing the working men there, said—

> "But for the assistance I obtained from the British Admiral Mundy, I never could have crossed the Straits of Messina."

Nor could he! But Admiral Mundy would never have assisted him without directions. Who gave those directions? It must have been Lord Palmerston, as the head of the Government of that day. And why did he do it? Because he knew that the King of Naples was a weak Monarch. If it had been the Emperor of Russia, he never would have sent such instructions to Admiral Mundy. He dared not attack the strong Power. The Government of to-day are doing the same thing. They are asked by the right hon. Baronet whether they will, in the interests of humanity, endeavour to put an end to this dreadful ukase which was issued the other day by the Czar. I know they will not do it; he is too strong for them. He is the Ædile.

Motion made, and Question proposed, "That this House do now adjourn."—(*Major O'Gorman.*)

Mr. SPEAKER: Does any hon. Member second the Motion for the adjournment of the House?

No reply.

Mr. SPEAKER: As no one has seconded the Motion, it cannot be put.

IRELAND—CARRICK-ON-SUIR BRIDGE.
QUESTION.

Mr. DELAHUNTY asked the Chief Secretary for Ireland, Whether the Irish Government has approved of a scheme, to be paid for by taxation imposed on the ratepayers of the counties of Waterford and Tipperary, for the erection of a stone bridge across the River Suir, below the town of Carrick on Suir, in lieu of that now existing above the town; whether any provision is to be made in the new bridge by means of a swivel span, or otherwise, to admit sea-going vessels to come to the quays as at present, and whether the erection of the bridge without such swivel opening would result in shutting out such vessels from the town; whether any memorial against same has been received by the Irish Government from the town commissioners or inhabitants of the town, and whether there was any answer given thereto, and to what effect; and, whether, in the event of the Irish Government being without power to prevent this injury being inflicted on the trade of the town, the Admiralty, Treasury, or Board of Trade, can intervene to do so?

Mr. J. LOWTHER: I understand that the facts to which the hon. Gentleman refers are as stated in his Question, and I believe that the effect of them would be to prevent vessels reaching any portion of the river above the bridge. The decision upon the subject was arrived at after a reference to the Judicial Committee of the Privy Council, to which body it was referred under the provisions of an Act of Parliament, and the assent of the Lord Lieutenant was formally given; and I am not aware that the Irish Government, or any other Department of Her Majesty's Government, has any power to override the decision thus arrived at.

Mr. DELAHUNTY: As I understand, from the answer of the right hon. Gentleman, that under the proposed scheme access to the town by large vessels would be prevented, I beg to give Notice that I shall on an early day call attention to the subject, and move a Resolution.

SOUTH AFRICA—THE ZULU WAR—THE EXPENDITURE.—QUESTIONS.

Mr. WHITWELL asked Mr. Chancellor of the Exchequer, If he can now state the precise amount contributed or due out of Imperial funds for the Transvaal, Trans-Skei, and other expenditure in South Africa up to the end of the financial year 31st of March, or if he expects a Supplementary Estimate on that account, and what proportion of the whole expenditure the South African Colony is expected to contribute up to the same date; whether the South African Colonial Government has received any money; and, if so, how much from lands and forests that have been added to the territorial jurisdiction of that Colony, and whether the Home Government shares in such receipts, if any; whether, referring to Sir Bartle Frere's Letter of February 17th, 1879, to the Secretary of State acknowledging the Special Allowance of £2,000 out of Imperial funds for the year 1879, in addition to a similar allowance for the years 1877 and 1878, and renewed in November last year, it will be reclaimed from the Colonial Government by the Home Government at some future time; whether Sir Bartle Frere has any other allowance than the Special Allowance here referred to, and from what sources; and, whether any negotiations have been entered into with the Government of the Cape Colony for apportioning between the Home and Colonial Governments the large expenditure now being incurred?

THE CHANCELLOR OF THE EXCHEQUER: I am bound to say that the Questions are a little mixed up, and that it is difficult to exactly separate them. With regard to the contribution out of Imperial funds for the various Colonies for the expenses they have occurred, it is necessary to distinguish between the expenditure of the Transkei War and the war which has been going on in Zululand. I do not quite know to what some of these Questions actually point. I think I can tell the hon. Gentleman and the House that the Government have information before them which enables them to state that the expenditure out of the Imperial funds for the Transkei War amounted to about £524,000, besides the ordinary pay of the Imperial troops engaged. That money has been provided, and we believe it will not be necessary to ask for any Supplementary Vote. I may mention that there is one month which is not included in the Appropriation Account, for which the amount will be between £70,000 and £80,000—that is the month of March last year—and when that account is finally made up, which will not be till towards the end of the present financial year, we shall see whether there is anything to be paid on that account; but we hope it will turn out that we shall have nothing to pay. With regard to the Transvaal, the House is aware that the sum of £100,000 was granted to that Colony at the time of the annexation, and was to be repaid, to satisfy a debt which was due. There was to be a further sum of £69,000 spent out of the Imperial funds in the year 1878-9, which leaves a total amount outstanding on account of the Transvaal of £169,000. That, of course, has nothing to do with the war. With regard to the Zulu War, the accounts are, up to the present time, only imperfect; but, as far as I can judge by the drafts on the Treasury Chest, I have reason to believe that the sum of £1,559,000, which was voted last year, will be sufficient to cover the expenditure up to the 31st of March last. With respect to the second Question, concerning the money received from lands and forests, I am not able to give any information. That is money which is received in the Colony, and applied on the spot, and the Home Government has nothing to do with the receipts. With regard to the special allowance of £2,000 to Sir Bartle Frere, that is paid from the Imperial funds to him as High Commissioner, and is not chargeable on the Colony. There is, I believe, some further payment made by the Colony; but I am not able to say what it amounts to. I think it appears, from the Papers before the House, that the Colony shall subscribe a sum of £1,000 a-year for certain expenses connected with administration. With respect to the other allowance which Sir Bartle Frere has, I think that is his pension from the India Office funds, and it is rather in the nature of a pension which he has earned by his own contributions, and he receives that allowance from the India Office as a member of the Council. I am not able, however, to give the precise figures. In reply to the last Question, I may say that communications are going on with the several Governments — of whom there are four, and not one, as suggested by the hon. Member's Question—as to the apportionment of the expenses and the means by which they are to be recovered from the different Governments.

SIR GEORGE CAMPBELL: May I ask whether Sir Bartle Frere is now drawing his pay as a member of the Indian Council?

THE CHANCELLOR OF THE EXCHEQUER: I really am not able to say. I should think not.

Subsequently—

THE CHANCELLOR OF THE EXCHEQUER said: Perhaps I may be allowed to supplement the answer which I gave somewhat hastily just now. It is stated in Class 5 of the Civil Service Estimates, that Sir Bartle Frere receives an annuity of £1,000 on his retirement from the Bombay Civil Service, and another annuity of £500 as a retired member of the Indian Council.

THE COLLIERY STRIKE IN DURHAM.

QUESTION.

MR. BURT asked the Secretary of State for the Home Department, Whether the action of the proprietors of New Hetherington and Philadelphia Collieries, in the county of Durham, in making staves which are admittedly somewhat larger than those ordinarily used by the police force is legal; and, if so, whether, seeing the mischief that might arise from employers and workmen arming themselves with weapons of the kind, he has power to put a stop to proceedings which may tend to provoke disturbance in the district?

MR. ASSHETON CROSS, in reply, said, if a person's house or place of business were attacked, he knew of no law which would prevent that person from using a reasonable amount of force to prevent the attack made upon him. He said that with this reservation, however—that if the person employed such means as were likely to provoke a contest, or means likely to tempt others to resort to force sooner than otherwise would be the case, or if means were used in excess to resist the attack, then the person so acting would, undoubtedly, be answerable for the consequences. He did not know that he could say more than that; but knowing that the question referred to collieries mentioned by the hon. Member the other day, he might be pardoned for repeating, as strongly as possible, that he could conceive of nothing more unfortunate than that in a dispute of this kind, which ought to be settled amicably, either masters or men should resort to such means, which would bring discredit on the one and the other.

SOUTH AFRICA—THE ZULU WAR—THE LATEST TELEGRAMS.

OBSERVATION. NOTICE OF QUESTION. QUESTION.

SIR MICHAEL HICKS-BEACH: Perhaps the House will permit me to read telegrams received from South Africa.

"From Sir Bartle Frere, Pretoria, April 11.—Arrived here all well last evening. After friendly visit to Boer camp, I am to meet committee again to-morrow a few miles out of town. With exception of small, very violent minority. the leaders appear generally open to reason. I hope there will be no disturbance of public peace."

"Government House, Cape Town, April 15.—All is perfectly quiet in Kaffraria and on the Eastern Border generally. In Basutoland disturbances are confined to the tribe of Morosi, whose stronghold is invested by Colonial Forces. News from Northern Border also satisfactory. No special news from Natal. Lord Chelmsford and staff at Durban, leaving shortly for Maritzburg."

MR. JOHN BRIGHT: Mr. Speaker, I wish to give Notice that on Monday I shall put a Question to the Chancellor of the Exchequer with reference to the South African Question; and I propose to put it to him because it has reference to the policy of the Government, and not to any Departmental detail. The Question I propose to ask the right hon. Gentleman is this—If, in reference to a statement of the Colonial Secretary that the disaster at Isandlana must be retrieved, and to the statement of the Government in Despatches now upon the Table of the House, that no annexation of Zulu territory is contemplated, he will inform the House if any instructions have been sent to Sir Bartle Frere as to conditions of peace; and, whether the time has not now come, after successes over and the slaughter of some thousands of the Zulu forces, when a pacification may be hoped for by the offer of some reasonable terms of peace to the Zulu King? That is the Question which I wish to put to the right hon. Gentleman; and I am more wishful to put it to him, because I understand that the right hon. Gentleman or the Colonial Secretary has said, on another occasion, that Sir Bartle Frere was restricted—in point of fact, that he was not at liberty to make any conditions or to do anything with regard to peace without strict instructions from home. I think, therefore, I may fairly ask what is intended to be done, or if anything has been done?

MR. MITCHELL HENRY: As regards the answer given by the Chancellor of the Exchequer to the hon. Member for Kendal (Mr. Whitwell). I wish to ask the right hon. Gentleman, Whether the Estimate of £1,500,000 for the Zulu War includes any part of the re-inforcements, and also the transports recently sent out from this country?

THE CHANCELLOR OF THE EXCHEQUER: Oh, yes; a very considerable proportion. In fact, the sum was taken in order to provide for the expense of sending out these Forces; and it is expected that it will cover all those expenses up to the 31st of March.

Mr. MITCHELL HENRY: That is very satisfactory.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

Mr. W. E. FORSTER: As regards the Business for Monday next, Will the Chancellor of the Exchequer inform the House whether it is understood that the Committee of Ways and Means, as stated yesterday, will be taken as the first Order?

Sir WALTER B. BARTTELOT: Before the right hon. Gentleman answers that Question, I wish to ask him whether he intends to have a Morning Sitting on Tuesday, and whether he proposes to take the Valuation Bill on that day?

The CHANCELLOR of the EXCHEQUER: We intend to take the Committee of Ways and Means as the first Order on Monday, and we propose to ask the House to sit at 2 o'clock on Tuesday in order to take the Valuation Bill.

Mr. DILLWYN said, he still intended to oppose the Motion for a Morning Sitting.

CRIMINAL LAW—CASE OF FREDERICK TAYLOR.—QUESTION.

Mr. BOORD asked the Secretary of State for the Home Department, in reference to the case of Frederick Taylor, who was convicted of an alleged assault at the Greenwich Police Court on the 9th of April last, and sentenced to two months' imprisonment, with hard labour, and on whose behalf a memorial was at once presented to the Secretary of State, Whether the Solicitor to the Treasury had completed the investigation which he had had in hand for nearly a fortnight; whether instructions had yet been given for the trial of the real culprit, who confessed immediately after the conviction of Taylor, or for the release of the latter; who was responsible for the delay that had taken place, whereby nearly half the sentence would have expired before the completion of the inquiry; and whether, in the event of Taylor's innocence being proved, any compensation could be given him for the hardships he had endured?

Mr. ASSHETON CROSS, in reply, said, this was a somewhat peculiar case. The man was convicted by the police magistrate on the evidence of four or five witnesses. Another man then confessed; but the solicitor in the case, on being asked to have it adjourned, declined to take that course. An appeal was then suggested, but no appeal was entered. He could not help saying that there were considerable *laches* in this matter; but as soon as the case was brought under the attention of the Solicitor to the Treasury, there was no delay. Application was made on the 12th of April, and it was at once referred to the magistrate, whose answer was received on the 19th. Thirteen witnesses, scattered up and down London, were examined, and there had been no unreasonable delay on the part of the Solicitor to the Treasury. The investigation of the case was completed to-day.

ORDERS OF THE DAY.

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SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRISH LAND ACT, 1870.—RESOLUTION.

Mr. SHAW LEFEVRE, in rising to call attention to the Evidence and Report of the Committee on the Purchase Clauses of the Irish Land Act; and to move that—

> "In view of the importance of a considerable addition to the number of owners of land in Ireland among the class of persons cultivating its soil, it is expedient that legislation should be adopted, without further delay, for increasing the facilities proposed with this object by the Irish Land Act of 1870, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the owners thereof,"

said: The House will, perhaps, remember that two years ago I moved for a Committee to inquire into the causes of the failure of those clauses in the Irish Land Act which had been happily named "the Bright Clauses," after my right hon. Friend who originated them—and which had for their object facilitating tenants of land in Ireland becoming owners of their holdings, with the assistance of State loans at a low rate of interest. In moving for the Committee, I founded my case for inquiry not merely on the failure of these clauses, but on the great success which had attended similar clauses in the Irish Church Disestablishment Act, due to the same inspiration, which gave to the tenants of the Church lands a preferential right of purchase, and which had resulted in from 4,000 to 5,000 tenants becoming owners of their holdings. In fact, my right hon. Friend the Member for Birmingham was like the sower who went out to sow; some of his seed fell on good ground—as where it fell on the Church land—and it sprang up and increased; but other fell among thorns; and I shall have to show how official thorns grew up and choked it, so that it produced no fruit. The Government assented to the appointment of a Committee with unanimity. The right hon. Baronet, then the Chief Secretary for Ireland (Sir Michael Hicks-Beach), in assenting to the Committee, stated that—

> "No one who had carefully considered the question could doubt that it would be advantageous to Ireland, that the number of persons possessing a proprietary interest in land should be considerably increased. It was intended to bring about this result by the Land Act of 1870 and the amending Act of 1872."

He went on to express the opinion that the cause of failure of the clauses was that the

> "Persons who were now the occupying tenants in Ireland did not, as a rule, desire to buy their farms. The fact was, that those persons were so contented with the position of tenants that, though willing to give extraordinary sums for the right of occupation, they did not care to, as it appeared to them, unnecessarily waste their funds by purchasing the freehold."—[3 *Hansard*, ccxxxiv. 174-5.]

The right hon. Gentleman will scarcely abide by this last statement, after the evidence of my Committee. But he will, I think, be confirmed in the first part of his statement. I hope it still expresses the opinion of the Government. I have put the words of the right hon. Baronet at the head of my Motion to-night. I ask the House to affirm the proposition that it is of national importance to increase the number of owners of land, and to give effect to it. The Committee sat for the best part of two Sessions, and took most valuable evidence as to the working of the clauses of the Land Act and the Church Act, and as to the general expediency of going further in the same direction. When the inquiry was concluded, the Committee rejected, by a strict Party vote, a Report which, as Chairman, I submitted to them, and adopted as the basis of their Report a mild and neutral production of the hon. and learned Member for Dublin (Mr. Plunket). When, however, the Committee came to consider the details of this Report, a change of scene took place. The force and weight of the evidence produced its effect, and Amendment after Amendment was made in the Report, till it lost its original character. The Committee unanimously added to it the expression—

> "That is is very desirable that increased facilities should be given to the tenants to purchase their holdings, and that when estates are offered for sale in Ireland there is a general desire on their part to purchase their holdings."

A majority of the Committee then added these words—

> "They believe that a substantial increase in the number of small proprietors would give stability to the social system, and would tend to spread contentment, and to promote industry and thrift among the Irish tenantry."

On the Motion of my right hon. and learned Friend the Member for Londonderry (Mr. Law) the Committee, by majorities of 11 to 7, then proceeded to adopt Amendments which practically grafted upon the not very valuable stock of the hon. and learned Member for the University of Dublin the conclusions of my own Report, and eventually carried it as far, if not farther, than mine; and if I recollect right, the hon. and learned Member was eventually unable to vote that his amended Report should be presented to the House. The subject thus comes before the House and the Government commended by a great weight of authority. The original clauses of the Land Act were adopted unanimously by both Houses. The Committee was agreed to unanimously. The Committee reported in favour of a substantial increase to the number of small owners. The Government, it seemed to me, was bound in honour to legislate on the subject. When, therefore, at the commencement of the Session, the Chancellor of the Exchequer informed the House that the Government had no proposals to make on the subject, I was greatly surprised. They had no legislation before the House affecting Ireland, except a little Bill for the taxation of dogs. They cannot plead want of time. There is always time for a popular and good measure—as the Intermediate Education Act of last year proved. I should have thought they would be eager to meet the wishes of the Irish people on this matter, and to move in a direction so truly Conservative in its best sense as that of giving further facilities for the creation of a class of peasant proprietors. In view of this neglect of the Government to deal with the question, I have felt it my duty to frame a Resolution on the subject; and although to many the principle of "the Bright Clauses" may appear to be admitted, I must briefly state the reasons why exceptional legislation is necessary in Ireland with this object. The reason is not far to seek—it lies in the extraordinary condition of the landownership of the country to which there is no parallel, as far as I know, in any part of the civilized world. It is only within the last three years we have known the exact state of landownership in Ireland, and have been able to compare it with that of England. A Return prepared by the late Government when the Land Act was under consideration, showing the number of owners of land in Ireland of above one acre, exclusive of town districts, gave a total of under 20,000. From this has to be deducted duplicate entries, glebes, &c. It may be safely stated there are about 16,000, of which 12,000 own above 100 acres each. Of owners between one acre and 50 acres there are only about 3,000, and they own between them 1-250th part of the area of Ireland. Of the 500,000 occupiers of land below 50 acres it may safely be said that, apart from the recent sales to tenants under the Church Act, not one in 200 is the owner of his holding. If we compare this state of things even with England, the difference is very great. England is not a country of many landowners. Many of us deplore the decrease of the Yeoman class here, and believe that it would be well for the country if land could be more within the reach of all classes. But England is a country of many landowners, compared with Ireland. It is safe to say that, taking the rural parts of Ireland and England as nearly as possible similar in condition, there are in England 10 times as many owners of land between one and 50 acres than there are in Ireland. When we compare Ireland with any other known country, the difference is more extraordinary. In the Channel Islands alone there are more Yeoman farmers holding between one and 50 acres than in the whole of Ireland, with 500 times their area. Yet Ireland is a country where there is a passion for land, where often incredibly large sums are given for the mere right of occupation—often equal to 25 to 40 times the rent. Now, the Incumbered Estates Court was intended to do something to increase the number of owners of land in Ireland. Since its establishment, in 1848, one-fifth of the land in Ireland has passed through it, and has been sold and freed from incumbrances. It passed into the hands of about three times as many persons as owned it before. But this has not been an unmixed good. None of these purchasers were tenants. Large numbers of these purchasers were the shopkeepers and traders of the town, who have looked at their purchases from the simple point of view of screwing as much rent as they could out of the land. They entered upon their properties without any knowledge of the traditions of the former owners, or any regard for the customs of the property. This is the class of purchasers most dreaded by the tenants at will. I find, from an inquiry made through the Constabulary, at the time the Land Act was passed, that of 1,225 properties reported or known as purchased under the Incumbered Estates Acts, rents were considerably raised immediately after the purchase in 533 cases; consolidation of farms was enforced in 520; and 57 cases of agrarian outrages occurred in consequence. I ask the House, then, to recollect that it is at the moment of transition from one landlord to another, at the time when property is put up for sale in the Landed Estates Court, that the desire on the part of the tenant to protect himself by acquiring the freehold most arises. He is afraid of the entry of a purchaser who knows him not, and who will screw up the rents, irrespective of his tenant-right. If, then, we can arrange so as to secure to the tenants the opportunity of purchase at this point, not only should we do good by increasing the number of small owners, but we cut off one of the greatest sources of evil and complaint. What good might we not by this time have effected if, at the time the Incumbered Estates Act was passed, 30 years ago, and when land for many years sold at a very low price, effective clauses had been passed to enable the tenants to buy? The state of landownership to which I have called the attention of the House has two defects and dangers—the one political and social, the other industrial and agricultural. The political dangers must be palpable to everyone who merely looks at the numbers. On the one side we have 12,000 landowners, half of whom are conspicuous for their absence from Ireland; on the other 600,000 small tenant farmers, on yearly holdings—tenants who have now, under the Ballot, acquired complete political rights of independence, and who have the political representation of Ireland almost entirely in their hands. I ask whether this is a position of stable equilibrium, and a condition of things where property rights are likely to be safe, or where property is likely to have its proper influence? When I was last in Ireland, the agent for some of the largest properties there told me that he had been convinced of the absolute and pressing necessity for extending the operation of "the Bright Clauses" by the action of the Ballot. He said that in the district for which he was agent there were 6,000 to 7,000 small tenants, and but two landowners, who were seldom resident in the country. Throughout a district of 60,000 to 70,000 acres there were but two persons permanently interested as owners in the soil. Before the Ballot he said the landlords exercised a considerable political, and, therefore, Conservative, influence over their tenants; but the Ballot had absolutely destroyed this. He considered that both for Imperial and for local purposes, in the interest of Government, and order and property, it is absolutely essential to re-inforce, as much as possible, the order of landowners; and the only way of doing this is to increase, not the number of small landlords of the shopkeeper class, who make the worst of landlords, and who cause all the cases of hardship complained of, but by endeavouring to create a yeoman class, who will have all the interests of landowners. I am satisfied that this opinion is growing widely even among the class of persons who are interested in maintaining the system of landlord and tenant. There came as witnesses before my Committee three land agents for some of the largest properties in Ireland—and we must recollect land agents are a very much higher class of persons than those in England—and all gave evidence to the same effect. Major Dalton, the agent for Lord Headfort's large estates in Cavan and Meath, said—

> "I think the creation of a class of peasant proprietors would be a most Conservative measure, not using the word in a political sense, but as giving the occupiers of land that which they have not got now—namely, an attachment to the Constitution under which they live."

Mr. Vernon, the agent for Lord Bath's property, said—

> "An increase in the number of owners wil give stability to the State, and will, in the true and highest sense of the term, be a Conservative measure."

And an agent for very large properties in the South said—

> "An increase in the number of small owners of land would give us a class of jurors who are not connected with property as tenants, and would tend to check the agitation which is going on for taking possession of the landowners' property and giving it to the tenant class."

I believe their opinions represent the views of the thinking men among that class. I am constantly receiving letters to the same effect. I could have multiplied such evidence ten-fold. Lord Dufferin, on his return from Canada, expressed to me the same opinion. He told me he had urged on the present Government, in the strongest manner, the necessity for dealing with the question. It was the only means of preserving the rights of property. A speech which he made on his return from the Colony which he had governed so well, and in which he dilated on the enormous value to it of its yeomen class as giving stability to the social system and spreading content throughout the country, was evidently intended to contrast with Ireland. The other defect of the existing system is its industrial and agricultural effect. Ireland is a country essentially of small farms, as opposed to England, where large farms prevail. In Ireland there are 600,000 farm tenants, 500,000 of whom farm under 50 acres and 400,000 under 30 acres. It is not necessary that I should enter upon the question whether small farms or large farms form the best system of agriculture. Ireland has an almost universal system of small farms, and is certain to retain it. No one in their senses could contemplate the possibility of raising one out of 10 or 20 of her small tenants to the condition of the large farmers in the English shires, or of depressing the others to the condition of the Dorsetshire labourers. Now, all experience from every part of the world, all the conclusions of anyone who has considered the question, from economists, such as Adam Smith and Turgot to Mill and Bastiat, and from agriculturists, such as Arthur Young to Lavergne, are to the effect that a system of small farms can only be successful, can only produce its best results when largely combined with ownerships, when a large part of the tenant class are owners of the land they occupy, and others can live in hopes of becoming owners; and for these reasons—first, that it is only the sense of ownership, or the hope of ownership, which can supply that stimulus, and that industry, and that thrift, which will make a small farm successful; and, secondly, that where a system of very small farms prevails, it is impossible for landlords to effect the improvements—to undertake to build the farms and buildings which are so multiplied on the estates. With small farms these improvements must be effected by the occupiers, and they will not be effected sufficiently except under the security which ownership gives. I could quote hundreds of authorities on this point. I content myself with one —an authority who must carry weight with English landowners, for he was the apostle of the English system of large farms. I mean Arthur Young. Arthur Young, we all know, spent three years in travelling in France and North Italy, from 1787 to 1789, just before and at the time of the great Revolution. At that time the cultivation of great part of France was, as now, by small farmers, but the mass of them were then merely tenants; but in parts of France there was a considerable number of small owners of land. Throughout the whole of his description, we find the most marked distinction drawn between the condition of the small tenants and the small owners. Everywhere he speaks of the wretched condition of the small tenants. He frequently compares them with the Irish tenants. He is loud in his complaint of the neglect of their landlords, and of the miserable cultivation and wretched homes. When he was in these districts where small ownerships prevailed, his accounts are almost invariably the reverse. Speaking generally of them, he said—

> "The unremitting industry of these small owners is so conspicuous and so meritorious that no commendation would be too great for it. It is sufficient to prove that property in land is, of all other, the most active instigator to severe and incessant labour."

In the district of Dunkirk, speaking of a number of small owners who had turned the blowing sands of that country into smiling country farms, he used the expression which has become a proverb —"The magic of property turns sand into gold." Speaking of the district near Gange, he said—

> "An industry and an activity has been here that has swept away all difficulties before it, and has clothed the very rocks with verdure. It would be a disgrace to common sense to ask the cause—the enjoyment of property must have done it. Give a man the secure possession of a bleak rock, and he will turn it into a garden. Give a man a nine years' lease of a garden, and he will convert it into a desert."

Arthur Young, notwithstanding his own testimony as to the results, was not favourable to the system of small ownerships. He preferred the English system. He saw the danger of sub-division of these small properties in France; he believed and prophesied that this sub-division would end in a vast system of paupers. His opinion was followed by many other economists. M'Culloch, writing in 1823, said—

> "France under such a system must become the pauper warren of Europe, and along with Ireland, have the honour of furnishing hewers of wood and drawers of water for all other countries in Europe."

I need hardly point out what was the effect of the violent measures of the time of the great Revolution in France. Vast masses of tenants were converted into owners; 600,000 tenants of the Church property became owners of their holdings by purchase, paying for them in assignats; 400,000 tenants of the *Emigré* nobility became owners in the same way. Vast numbers of other feudal tenants were relieved of feudal charges and became absolute owners; and it resulted that one-half of the area of France came into the possession of its cultivators, and remained so. However deplorable the methods by which this was brought about, no one can doubt that the change from tenancy to ownership of this vast number of small occupiers has been productive of enormous benefit—that it has immensely increased the productive power of France. The industry, thrift, and saving of her small owners is the theme of all Europe. They have carried her safely through the enormous losses of the German War. This class also forms the Conservative class of France, which has saved her from the Commune. So far from having degenerated into a "pauper warren," the complaint is rather the reverse. Her population increases more slowly than in any other country in Europe, while her wealth increases more rapidly; pauperism in the rural districts is almost unknown. In the most interesting Reports from our Ministers abroad on the tenure of land, published in 1867, was to be found a paper by the Hon. Sackville West, the late Secretary of the Embassy in Paris, giving a description of the material prosperity of the small owners in France. He says—

> "They will generally be found in easy circumstances and living always in the hope of bettering them and it is this hope which absolute possession engenders in them that stimulates them to fresh exertions, beneficial not only to themselves but to the community at large."

But there is one aspect of this enormous change from tenancy to ownership I should like to bring under the attention of the House. I mean its effect upon rights of property in respect of other land. I have already pointed out that about half the area of France belongs to small owners, and is cultivated by them; the other half is let out to tenants numbering more than 1,000,000; and, as a matter of fact, there are twice the number of large farmers in France that there are in England. Mr. West, writing before the Irish Land Act, of the relation of landlord and tenant in this great area of France, says—

> "The present relations of landlord and tenant in France resemble those in Ireland, so far as the law is concerned. Eviction can be enforced upon any contravention of the agreement, and compensation for improvement depends upon agreement, and constitutes no legal claim upon the landlord. It would seem that the Irish and French systems are identical, and what has caused in the one agrarian outrage and discontent has in the other been productive of social order and contentment. But it must be borne in mind that 75 per cent of the agricultural population in France are proprietors. In this fact consists the difference—a difference dependent upon the ownership of land by the masses as opposed to the ownership of land by a minority. Tenant-right and fixity of tenure are phrases rarely ever heard in France."

I have not time to follow out the changes which have been made in other countries in Europe during the last 50 years. All are in the direction of favouring the substitution of absolute ownership for tenancy of small holdings. In Prussia and the North of Germany this operation was facilitated by the establishment of land credit banks, assisted by the State, which lent money to buy out the landlords, repayable by instalments spread over a term of years. In Austria, Bavaria, and Wurtemburg, loans of the same nature were made by the State directly to the tenants, and the State purposely incurred a loss. It is interesting to observe that everywhere the first step taken was to sell the Church lands to its tenants. It is only in England that the Church property has been appropriated by the wealthy landowners. I mean in former times—not the present. Even in our own days many may remember that the Church lands in Italy have been sold, to a great extent, to the tenants; and in Sicily alone 16,000 tenants have been able to purchase Church property which they had previously occupied. The beneficial results of all these changes may be followed in the Reports of our Ministers, to which I have alluded. I will only quote one more authority on this part of the question, with reference to a country rather peculiar — Flanders— where there is a considerable number of large properties, and where there are also a great many small properties, many of which are let by their owners at rack-rents of the highest amount that can be extracted. M. de Laveleye, speaking of this country, says—

> "The distribution of a number of small properties among the peasantry forms a rampart and a safeguard for the owners of large estates, and the peasant property may, without exaggeration, be called the lightning conductor, which averts from society dangers which might otherwise lead to great catastrophes."

Can any one doubt, I ask, in the face of so much authority, as to the superior merits of a system of small ownerships to a system of small tenancies, that we should do well to move forward in Ireland in the direction I propose? We have already, as I have explained, made two such attempts. The one under the Church Act has been eminently successful. About 4,500 tenants have been able to buy, assisted by having three-fourths of the purchase-money left on mortgage, repayable by equal annual instalments spread over 32 years. Even more would have been able to buy had it not been for a rule laid down by the Commissioners, which treated the very small tenants less favourably. The property consisted of glebes, scattered about the country, and in bad condition; and, with a tenantry below the average. The tenants have given somewhat above the average price of land for their holdings—namely, 23¾ years' purchase. About half the purchasers were able to produce the balance of the purchase money; the others obtained parts of it from their friends, or borrowed it; much money was sent from the United States, or was produced by children in service. What has been the result of the operation? There cannot be a doubt, I think, that it is already very beneficial in two respects—that it has tended to promote industry and improvement, and that it has been the source of great satisfaction to those who find themselves now secure in their holdings. In their last Report, the Church Commissioners say—

> "We continue to receive reports of improvements effected on this land by the new owners, and another year's experience confirms the opinion we have already given as to the beneficial results of the provisions of the Church Act for creating a body of small proprietors."

Mr. O'Brien, the valuator of the Church property, gave evidence of numerous improvements that are being effected already, and of the general content of the purchasers. Those who have borrowed the balance of the purchase-money have been put to great straits, but they are paying it off. I myself have had personal experience, having visited some of the tenants who have bought their farms. It was impossible not to be struck by the evidence of content and the spirit of independence which had been engendered by the purchase. Some were already effecting substantial improvements; others were only waiting till they had paid off the borrowed money. The chief feeling was that of satisfaction at having been spared the infliction of a possible landlord of the kind I have alluded to—namely, the hard-fisted trader from the town. Among the witnesses examined before the Committee was a man named Degnan, a tenant who had bought his small farm of 50 acres from the Church. He told us that, some years before, the incumbent of the living to which the glebe belonged had been made a Bishop, and his successor in the living had immediately raised the rents 50 per cent, promising not to do so again during his incumbency. This had quite taken the heart out of the tenants—

> "If a man was seen draining a field the tenants would laugh at him, saying that their vicar would soon go away and be made a Bishop, and that then the rent would be raised."

In 1870, Degnan, hearing that the tenants, under the Church Act, would have the privilege of buying at once, began to improve. He built farm buildings at a cost of £400; he then bought his farm for £690, paying down one-fourth of the purchase-money "with a better heart than he had ever before paid money in his life." He told us that the tenants of an adjoining glebe, who had bought, "were working day and night to improve the land—on a moonlight night just as well as in daylight." Now, what was the cause of the success of these clauses in the Church Act? It was undoubtedly due, in the main, to the fact that they were carried out by men who believed in the policy of the work and wished it to succeed—who were interested in carrying out the intentions of Parliament. They made the matter intelligible and simple to the tenants. They relieved them of trouble and of law expenses. All the tenants had to do was to sign a paper and to find one-fourth of the purchase money. Now, in the face of this evidence, it was impossible not to come to this conclusion—namely, that the Irish tenants are most desirous of availing themselves of the opportunity of becoming purchasers of their holdings. But when we turn to "the Bright Clauses" of the Land Act, the failure has been as conspicuous as the Church Act was a success. During six years only 600 tenants have been able to buy their holdings under it, or at the rate of 100 a-year. I am sorry to say that the cause of this failure of this part of the Act is, in a great measure, to be found in the fact that the working of it did not fall into the same zealous and careful hands as those which the Church Act fell into. There were three Departments of State interested in carrying out these clauses—the Landed Estates Court, the Board of Works of Ireland, and the English Treasury. In none of these did the measure find any friends, or any person interested in pushing them on, or in removing any difficulties which naturally arise in working a new scheme. Technical difficulties were allowed to prevail. No suggestions of amendments were ever made. In the Landed Estates Court two years were allowed to elapse before any notices were issued to tenants of properties advertised for sale in the Court. When they were issued no explanations were given. The tenants were invited to come up to Dublin on the very slender chance of having an opportunity of bidding for their holdings, and they were subjected to legal expenses. In the Board of Works Department, difficulties were opposed to the tenants obtaining the full amount of the loan offered by the Act; and in most of the early cases the proportion rarely amounted to more than one-half the purchase money, and hundreds of tenants went away disappointed at finding they could not get a larger proportion. Anyone who reads the evidence of Colonel M'Kerlie or Mr. Stack, of the Board of Works, will, I think, award the palm of official obstruction to that Office. In Colonel M'Kerlie they will recognize a splendid specimen of the official thorn—a most honest, zealous public servant; but who conceives he has done his duty by the Treasury in burking any scheme which has for its object the loan of public money. Many other difficulties I could name, especially the working of the alienation clauses, which have prevented tenants desirous of purchasing from giving security for any advances made from other quarters, and which have been construed as implying forfeiture of the holdings, even where the purchaser has bequeathed the property to his son. These, however, I say, are minor difficulties. If they had been removed possibly some, though not an important, increase of transaction would have taken place. The real difficulties in the way of working the Act are more serious. The Act contemplated two methods by which tenants might become purchasers. The one where landlords agree with their tenants by private contract for the purchase of their holdings, and facilities are given for the owners of limited estates to enter into these arrangements with the consent of the Landed Estates Court. Practically, this part of the Act has been a dead failure; only 36 cases have occurred, only two of which were tenants for life. The difficulty is partly the cost of passing such cases through the Landed Estates Court, and partly, also, the fact that limited owners are greatly restricted as to the investment of the proceeds of such sales. They can only invest in Consols, and it is not worth while to sell land paying 4 per cent and over for the purpose of investing in Consols paying 3 per cent. The other opportunity afforded by the Act was this—Under the 46th section of the Act, the Judges of the Landed Estates Court were directed, in the case of all property sold in that Court, to offer reasonable facilities to tenants desirous of purchasing their holdings, by making lots or otherwise, so far as this could be done without detriment to the interests of the owners, and they are directed to hear the Board of Works on behalf of the tenant. As nearly all the land sold in Ireland passes through the Landed Estates Court for the purpose of getting an indefeasible title, and is sold by auction there, it was, therefore, hoped that a large number of tenants would have this opportunity of buying them. In fact, however, very few of the tenants, however willing to buy, had had the opportunity. About £6,000,000 worth of property has been sold in six years in the Court, with about 12,000 separate holdings; but only 500 tenants had been able to buy—or less than 1 in 20. This has not been for want of desire or want of means, for hundreds of tenants have come up to the Court, and have been put to heavy expenses in attending before the officers of the Court—whose duty it was to lot the properties—in the hope of being able to bid, but have found that no opportunity was ever given to them, and have gone away disappointed. Properties have not been put up in lots so as to enable the tenants to bid. Those who have bought have paid considerably above the average price of land—namely, 25 years' purchase, or 2½ years' purchase above the average price of land in Ireland — and their costs have averaged 10 per cent on the purchase money. The difficulty was one created by the residues. The properties are generally put up for sale in lots corresponding with townships, and, on the average, included 12 or 14 small farms. Of these, it might be that seven or eight tenants were ready to buy; but there would remain a residue which might, perhaps, be difficult to sell, or which would cause delay, and the Judges and their officials are unable to say you must take from the tenants a somewhat higher price, and run the risk as to the remainder. I cannot but think that the experience of the Church Commissioners as to the price obtained by the residues of their estates not sold to the tenants shows that this difficulty is much less than was supposed, and that means might be found for overcoming it; but, undoubtedly, it is the fact that owners are very unwilling to break up their properties into lots, so that the tenants can buy, and the Judges will not take upon themselves any discretion in the matter; and the result has been that hundreds of tenants have come up to the Court, have attended before the Examiner of the Court, when properties were lotted, were ready to give a higher price than the average price of land or than the average for which it finally sold, but were sent back disappointed, because the officer of the Court was unwilling to run any risk in directing that the lots should be put up, so as to enable the tenants to buy. The able Judge Flanagan came to the Commissioners and explained that the 46th section had put upon his Court an impossible duty. He said—

> "The 46th section of the Irish Land Act is one which, in my opinion, it is almost impossible to work. I mean to work, in the sense of enabling the tenants to purchase their holdings to any considerable amount. It has imposed upon the Landed Estates Court a duty which it is almost impossible to work."

I do not myself appreciate the difficulties of the case so fully as they appeared to weigh upon the Judges; but it is obvious that when a judicial and administrative duty is thrown upon a Court of Law, and the Judges say that they cannot act, it is not at all probable that any result will flow from the Act, or that the intentions of Parliament will be carried out. It seems, therefore, necessary that some other scheme should be adopted. This is all the more necessary, because a recent case decided by the Court of Appeal since the Committee sat has even more completely nullified the intention of the Act, and, in the opinion of the officers of the Court, rendered impossible any considerable sales to the tenants. The Landed Estates Judges had held that where properties were put up for sale in the Court, and the tenants had notice and were summoned up to attend the sittings, and when they were ready and willing to bid for their holdings and give a higher price, the owner could not accept a lower offer from other parties. In a recent case—probably the most important in respect of the number of tenants who were ready and able to buy which has occurred since the Act passed—140 tenants of a property for sale in Cork had arranged to buy in group; they had been summoned to the Court; they had been put to great expense and trouble, and the 46th clause appeared and was intended to give them a preferential right to purchase; they were prepared to give a very large price, larger by some thousands than were other purchasers; yet the Court of Appeal, overruling the Landed Estates Court, held that the owner was justified through a mere whim in selling the property to a person who had made a much lower bid, and thus depriving the tenants of the opportunity of buying. This may be law, but it is certainly a very hard case, and it shows the necessity for some change in the law. Now, among the witnesses before our Committee was Mr. Vernon, the Governor of the Bank of Ireland, and the agent for many of the largest properties in Ireland, and one of the most able men in Dublin. He concurred with Judge Flanagan as to the impossibility of working the 46th clause. He said—

> "The duty imposed by it upon the Judges of the Court of selling preferentially to the tenants is an abnormal one to the true function—that of obtaining the best price for the owner."

He then went on to say—

> "Assuming that the Legislature desires to create a small proprietary or a body of small proprietors, I think that whoever sells the pro-

perty to the tenant should be put in the position that the Church Temporality Commissioners were put into—that is to say, they must have absolute power. I think the property should vest in the State before it is conveyed to the tenant, and that the State should deal with the land as between itself and the tenant. I do not think it will ever work otherwise. I think you should vest the property in the State—that means presumably in some Commission appointed by the State."

His plan was this—

"Where an estate is for sale in the Landed Estates Court, it should be the duty of that Commission to send down a proper officer to report upon the value of the property and upon the conditions under which it is held, and to see all the tenants and to learn from them what price they are prepared to give, if any, for their lots. If the tenants say 'We will not buy,' then the Commission withdraws its action altogether, and leaves them to pass under the ordinary rules of sale to any purchaser. If, on the other hand, the tenants declare to buy their lots, then let it be for the Commission to see what price they will give. Add to that a fair percentage, which shall cover the expenses of the Commission, and then let them become buyers in the open market, free from the vendors, either by private or public sale. The vendors would not be damnified in any way; the Judges of the Landed Estates Court would not have any conflicting duty at all; they would sell to the Commission precisely as they would sell to the outside public, and the Commission having thus bought would re-sell the property to the tenant."

Judge Flanagan fully concurred in this view, and said—

"In the sense of enabling the tenants to become purchasers to any considerable amount, my view is that you will never have sales to tenants in any number until you adopt Mr. Vernon's suggestion. That is to say, you must sever altogether the duties of the Court as selling on behalf of the owner from the duties of the Court as selling to the tenant. You must, as Mr. Vernon puts it, have some person who would, in the interest of the tenants, be prepared to buy *in globo* from the owner of the property, and then that body should re-distribute the property and sell it back to the tenants, if they had satisfied themselves by previous inquiry that such a transaction would be a beneficial and a safe one to undertake."

And he adds the important statement—

"In my opinion, it is the only way in which yon can protect the interests of the owners of property, and it is the only chance you have of selling the property to tenants."

It is the essence of Mr. Vernon's plan that no transaction should be entered upon until the Commission has ascertained that all the tenants are prepared to buy, and will bind themselves to buy, or that such a proportion of them will buy as will practically make the transaction a perfectly safe one. He says it would be grossly to the discredit of the Commission if there was a loss, as they would be able to offer a sale upon more advantageous terms than anyone else — namely, that three-fourths of the purchase money would be left on mortgage. The scheme thus proposed by Mr. Vernon and Judge Flanagan to meet the difficulties of the case has met with the approval of many other important witnesses, and, finally, met with the approval of the majority of the Committee. There is some difference as to the body who should be intrusted with such duties. Judge Flanagan thinks the Landed Estate Court might be so divided that one of its Judges and a part of its staff should undertake it, and the other be left to discharge the other duties of the Court. Others think that a re-constituted Board of Works may be intrusted with it. For my part, though averse to a new Commission in Ireland, yet I believe it would be wise in the working of a new scheme—which should be worked tentatively and cautiously—to appoint a temporary Commission for this purpose, and to try it rather as an experiment with a limited sum. Such a Commission dealing with the question in this manner would at once get rid of many of the difficulties which now interpose. It would concentrate all the work now distributed between the Landed Estates Courts, the Board of Works, and the Treasury. It would communicate directly with the tenantry desirous of purchasing any property for sale; it would relieve them of any law expenses. It would rather act as brokers for the tenants, enabling them and helping them to combine together for the purchase of a property. But it would be in no sense a land-jobbing body; it would never act except upon the clear and definite condition that no loss would be realized; or unless such a proportion of tenants are prepared to buy as will make the transaction a perfectly safe one. The experience of the Church Commission as to the small difference in price between land sold to tenants and residues sold to the public shows that where there is a small residue it will be disposed of without loss. It must also be recollected that, without some such body, there are many properties which cannot be divided and sold to their tenants—properties subject to charges, annuities, rent-charges, and the like; and it is only where a paramount power can buy and free such property from charges that the tenant has a chance of buying. It is my conviction that a Commission of this kind, working cautiously and tentatively, will find a way out of the difficulties and lead to a considerable number of tenants being able to buy. It will also greatly facilitate such a transfer of the properties if the amount left on mortgage of the holdings be increased, and if the alienation clauses be repealed. In submitting to this House this method of dealing with the case, I wish to do so in no dogmatic spirit. There may be other methods of arriving at the same end, and of overcoming the difficulties; and anyone which achieves the result, or is likely to achieve the result, will be equally welcome to me. The object I aim at by my Motion is a considerable increase to the number of small owners of land in Ireland, and the giving an opportunity to tenants of purchasing their holdings when the properties are offered for sale. I may say at once that the proposals which the hon. and learned Member for the University of Dublin made to the Committee, though useful in their way, and most of them included in my own Report as minor Amendments, would not, I think, secure their objects. I shall be surprised if he himself ventures to say that they will secure them. I admit the difficulties of the case; but I believe they are not beyond the powers of practical statesmanship to deal with. If the Government approach this question with an earnest desire to accomplish a considerable work, if they use all the forces and influences of the State in aid of it, they will find that difficulties will disappear, that mountains will become molehills, and torrents merely summer streams. Above all, it will be necessary to commit the work, whatever it may be, to the hands of those who really believe in it, who will work with zeal and energy; and, unless this be done, the best of schemes must fail. I have only, in conclusion, to add that, whatever Government succeeds in this work, will confer a great boon upon Ireland. Every fresh band of small owners will, I confidently believe, become the nucleus of a new spirit of industry and improvement—the centre of a better spirit of contentment and loyalty, and a fresh bond of union between the people of the two countries. The hon. Gentleman concluded by moving his Resolution.

Mr. ERRINGTON, in seconding the Motion, said, he would like, with the permission of the House, to touch upon one or two points. He recollected the impression which was produced in Ireland by the eloquent speech which the right hon. Gentleman (Mr. John Bright) delivered in Dublin in 1866. He feared that the hindrances to the prosperity of Ireland, which the right hon. Gentleman then referred to, still existed, in spite of all the subsequent legislation. That being the case, it was not wonderful that they should hail with hope and approval a proposal like the present, which held out prospects of greatly improving the condition of the country. Those who were interested in this question naturally regarded it as twofold, and inquired, first, whether, in the present condition of Ireland, it was desirable to considerably extend the number of owners; and, secondly, if the first were answered in the affirmative, to consider how it could be done; whether it could be done with a reasonable prospect of success; and, if so, whether it would answer the objections of the opponents of this scheme? Hon. Gentlemen were aware that there was a great difference of opinion as to the relative merits of large and small cultivators; but there could be no doubt that, years ago, Ireland was a land of cottier tenants, and was still a land of small farms; it was perfectly true that after the Famine there was an enormous diminution in the number of small farms, particularly those of the smallest size, the diminution becoming less marked in the case of farms of larger size. This movement continued for several years, with a constantly diminishing rapidity, until about 1864, when the movement had practically spent itself. Since that date there had been a considerable re-action against the consolidation of farms, and the best judges were of opinion that Ireland was not suited for the system of consolidation. Moreover, agriculture was just now being threatened with very serious changes, which were making themselves felt not only in Ireland, but most painfully in England. It was too soon to form an exact opinion as to ultimate results; but the most competent judges were of opinion that it would tend to promote the re-action against the consolidation of farms. He himself thought that must be so, because there were already a considerable number of farms going a begging. If that was so in England, where so much capital was devoted to agriculture, how much more must it be the case in Ireland, where there was not so much capital, and where large farming had never been gone in for the same way? The hon. Member referred to the proceedings of the Devon Commission of 1845, which was presided over by a nobleman of great ability and popularity, and one who possessed large estates in Ireland. The Report of that Commission, with the accompanying evidence, was not only a monument of industry, but was a most reliable store-house of information for those who were interested in the question. The Commissioners, in their Report, said—

> "We believe that there is a large number of persons in Ireland possessing a small amount of capital which they would gladly employ in the purchase and cultivation of land, and a still larger number of persons resident in different parts of Ireland, now holding land on rent, who would cheerfully avail themselves of the opportunity of becoming proprietors. The gradual introduction of such a class would lead to a great improvement in the social condition of Ireland. There would be a much larger proportion of the population than at present interested in the preservation of peace and order, and the prospect of giving admission to this class would stimulate the farmer to increased exertions."

The men who subscribed the Report had the courage of their opinions. They organized a Joint Stock Company for the purchase and re-sale of lands in Ireland in lots of not less than 30 acres, and a Private Bill was introduced in order to obtain the necessary powers. The Bill was referred to a private Committee, of which the right hon. Gentleman, the present Member for Greenwich, was Chairman. The Preamble of the Bill set forth that the establishment of a permanent body of peasant proprietors, holding farms in fee-simple, would materially improve the social condition of Ireland, by promoting the better cultivation of land and the reclamation of waste lands, and by personally interesting a large proportion of the population in the preservation of peace and order; and that many persons in Ireland possessing a limited amount of capital would gladly employ it in the purchase of land if facilities were given. The venture was a failure; but the failure could be accounted for, because it was launched at a time when Ireland had just plunged into what was, perhaps, the greatest scourge that had afflicted any European country in modern times. It was, then, not a question of solving the Land Question—it was a question of how the people were to live; consequently, little or nothing was done with the scheme, and it became a dead letter; but the failure of the special machinery in no way militated against the principle on which it was founded. The evidence taken before the Committee, however, went to show that the Irish tenant had become much more prudent and thrifty than he formerly was, and that the danger of the sub-division of land had diminished immensely. The Land Act, as had been shown, was exceedingly complicated, and the wonder was, not that the Board of Works should have failed in carrying it into effect, but that it should succeed. It had been his opinion that the Board of Works should be intrusted with the power of working the Act; but subsequent consideration had led him to the conclusion that the Act should be administered by a new Body. He appealed to the Chancellor of the Exchequer to give his support to the proposal of his hon. Friend, a proposal for which he would find good reason in supporting in the speech of the Secretary of State for the Colonies, while replying to a request for the appointment of a Committee on the subject in 1877. He hoped, therefore, that the question would be referred to a Committee of the House, and that the opinion of the Committee might be judged by the unbiassed opinion of the House itself. If that was done, there were a great many hon. Members on that side of the House who would show their sympathy and good feeling towards Ireland.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in view of the importance of a considerable addition to the number of owners of land in Ireland among the class of persons cultivating its soil, it is expedient that legislation should be adopted, without further delay, for increasing the facilities proposed with this object by the Irish Land Act, 1870, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the wners thereof,"—(*Mr. Shaw Lefevre,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. PLUNKET, in supporting the Motion, said, he did not intend to detain the House at any great length. Although he was bound to disagree with some of the views expressed by the two hon. Members who had addressed the House, he did not rise for the purpose of opposing the Motion; but, on the contrary, to join in the hope expressed by the hon. Member for Longford (Mr. Errington) that the Government would not think it necessary to resist it. Since the Motion was placed upon the Paper some additions had been made, to the effect that the Government should, "without further delay," undertake to carry out the proposition contained in the Motion. He did not know what construction was to be placed upon those words by the hon. Gentleman who introduced them; but he thought the construction put upon them by his hon. Friend who spoke last was a very sensible and fair construction. Of course, Government would desire that it should be introduced as soon as possible consistently with the state of Public Business. In that idea he quite concurred, and hoped that the delay would not be a long one. The reason why he asked the Government to support this Resolution was because it was a Resolution very moderate in its terms. It really amounted to only this—that legislation should be adopted for increasing the facilities, and for securing to the tenant an opportunity for purchasing his land when offered for sale, consistently with the owner's interest therein. He had had the misfortune to oppose, on many occasions, proposals that had been made by the hon. Gentleman opposite in regard to the land of Ireland. Those proposals he had resisted, because they would carry with them an invasion of the rights of proprietors. This Resolution, however, was certainly not subject to similar dangers. The transactions to be carried out under the Act were of an entirely voluntary character, and he did not understand that it was intended now to depart from that principle as laid down in the Act of 1870. It was, under those circumstances, with great satisfaction that he found himself concurring in the proposals of the hon. Gentleman opposite. He had used these observations in reference to the terms of the Motion; but he was afraid he could not go quite so far in harmony with what had been said in their speeches by his hon. Friends. With regard to the drafting of the Reports, the hon. Member for Reading prepared one Report, which he said was discarded in favour of one prepared by himself (Mr. Plunket). He had no alternative. While evidence was being taken they were not all agreed on the Commitee; but at the end of two years they came to the time when they closed the evidence, and were to draw up a Report. The Chairman had to prepare a Report, and he did so in a very elaborate and exhaustive manner; but it was a Report in which some could not concur. Many Members of the Committee agreed with, and many differed from, the Chairman, and then he (Mr. Plunket) had drawn up a counter Report, and the two Reports were argued. He might observe during the inquiry that there were a number of proposals brought forward more or less departing from the principles of the original Act — the Act of 1870. The Report of the Chairman had a long historical review of the whole question, and also contained a great number of quotations from evidence which were selected with the view of supporting the conclusion at which the framer of the Report had arrived. But many Members of the Committee did not agree with the historical colouring given throughout the earlier portion of the Chairman's Report, nor did they consider that the extracts from evidence were such as would give a complete exposition of the testimony. It was in no spirit of disrespect that he proposed a counter Report. If they had settled down to go through every clause of the long Report of his hon. Friend, the Committee would still be sitting upstairs, and the House of Commons would not have this Resolution before it. He prepared a short Report of a page and a-half as the framework on which to proceed, and the ultimate Report now before the House was the result. He had been only induced to say this, by way of explanation, because it was not, he believed, a usual course to oppose the Report of the Chairman. What he desired was to guard himself, in the cordial and frank acceptance of this Resolution, from being supposed to adopt all the arguments of the hon. Gentleman the Member for Reading. He now wished to refer to the proposal that public funds should be used for the purpose of purchasing property from the landlords and selling it again to the tenants. That was a most important point of difference between the hon. Member who introduced the Resolution and himself. He was bound to say that he could not agree in the wisdom of that suggestion. In the first place, it was obviously a total departure from the policy of the original "Bright Clauses." There was no proposal at all there for establishing a sort of plan by which Government should become, in the first place, the direct purchaser from the landlord, and, what was of far more importance, become afterwards directly the seller to the tenant. Observe what would happen. Unfortunately, if they looked over the whole of Ireland, they would find a great number of very small tenants who held but a few acres of land; and who were very poor indeed. Should those tenants become proprietors under such a proposal? They were hardly able, at the best of times, to pay their rent, and certainly what would happen would be this—that, when elevated from their previous position to the position of independent proprietors, they would regard the State, which had conferred on them these farms, and to which they were responsible for the instalments, in reality, as their landlords. Indeed, they had it in evidence that many of those who already had money advanced to them from the Board of Works, although they had not received their farms from any Government authority or Office, would be under that impression. There had of late been much depression of trade and agriculture; and if they coupled the effect which that had upon the tenants with the unfortunate action of money-lending and borrowing amongst the farmers, it would be seen that tenant farmers were greatly embarrassed and weighed down, and when a hard time came they could not pay at all. What happened this year? He knew many landlords who were expecting to get very little rent, if, indeed, they expected any. What would be the position of the State brought face to face with the tenantry of Ireland, and bound, in the interests of the nation to demand the payment of those advances which had been made? He did not mean to say that this was a conclusive argument against the proposal; but it was a consideration that ought to be carefully weighed by the Government before they took part in a scheme which would, to a great extent, make the Government the landlord of a vast number of very small tenants. His hon. Friend the Member for Reading was very hard upon the Board of Works, and especially on the Chairman of the Board. But he (Mr. Plunket) had the honour of knowing that gentleman, and he confidently stated a more painstaking and conscientious public servant there could not be. The hon. Member then called attention to the draft Report which he had prepared, contending that the propositions therein contained were of substantial importance in the sense of the Resolution then before the House. There was, he said, a real foundation of difficulty about working out this part of the Act, and it was because the whole operation was put under the thumb of the Treasury. It was a most important thing, he would venture to say, that it should be conducted according to rules prepared and laid down, and not subject to constant changes. Should the Government adopt the Resolution, they would find ample material to work upon in the evidence, and abundance of suggestions contained in the various Reports of the Committee. This was not a Party question, and it ought not to be one. It was no question between landlord and tenant. He believed that when the tenants of Ireland came to understand all the benefits offered them by these "Bright Clauses" of the Act of 1870, they would avail themselves much more frequently of its advantages than was the case at present.

MR. GLADSTONE: I do not intend to go into the argument which has been so largely and ably handled. It is enough for me to say that I entirely adhere to the opinions which my hon. Friend (Mr. Shaw Lefevre) has cited in the proceedings of the Committee which this House appointed some years ago. I am very glad that the speech of the hon. and learned Gentleman who has just sat down marks the undoubted fact that this is not a question with which any consideration of Party can possibly be mixed, and I think we need not fear anything that may be said to provoke such a construction. I rise to say a word exclusively upon a single point. I quite understand that many difficulties of detail may arise as to the mode of giving effect to this Resolution. The hon. and learned Gentleman has justly declined to hold himself bound by the particular sentiments expressed on this side of the House, and, no doubt, there is reciprocal liberty on this side of the House with regard, perhaps, to some parts of what has fallen from the hon. and learned Gentleman. But, Sir, subject to that reservation, and observing that we are only dealing with the terms of the Resolution, I cannot help hoping that there is nothing in those terms themselves that can possibly cause the Government to hesitate about their acceptance. It does occur to me as possible that if they feel any hesitation whatever, it may be hesitation connected with the point to which I shall address the few sentences I mean to utter—namely, the question of finance in connection with this demand. I would observe, in the first instance, that by the Land Act of 1870 we pledged ourselves to a certain financial engagement of a limited amount. We then proposed that £1,000,000 should be applied to the purpose of making a fair experiment in furtherance of the principle that we had in view. Now, undoubtedly, Sir, as far as my recollection may be admitted into this matter, I should say that £1,000,000 at the time we proposed it was by no means regarded as the maximum, as the *ne plus ultra* of what might be done in this matter, particularly if the experiment was found to work well. Not nearly the whole of the £1,000,000 has been expended. [Mr. Dodson: Only £400,000.] I am informed that only £400,000 of that sum has been expended; and I am bound to say that at present—if only to the limited amount that lies between what Parliament sanctioned and what has been expended—we are under an engagement not to disappoint the hopes and expectations of the Irish Members and the Irish people on this particular subject. But I go beyond that; because, I do not know why, if we can hit upon satisfactory methods of proceeding, we should be limited even to that amount. Then comes the question—whence this money is to proceed? It has been thought possible that some Irish fund might be available, at any rate for a time, in case the application of Imperial funds should be found inconvenient. I do not know that it is impossible that some portion of the funds proceeding from the property of the Disestablished Church might not be temporarily applied in such a way. I will not say that it should be permanently applied in this way; because I think those funds ought to receive some final allocation at a proper time, and not be always employed in moving backward and forward in what is a kind of trading operation. I will go further, and allude to a subject which is, no doubt, occupying the minds of the Government and my right hon. Friend the Chancellor of the Exchequer. I can conceive that he is swayed in his view of the question now before us by his view of another and larger question—namely, that of the very great amount of the local demands that are now made upon the Imperial funds, and he feels a natural hesitation in enlarging those demands. I may be right, or I may be wrong; but I think it proper to give a few minutes to the consideration of this point, and as we have had no opportunity of discussing the subject in detail, I, for my part, think it right to strengthen the hands of the Chancellor of the Exchequer and the Government in resisting and modifying the endeavours of local Bodies to make the Imperial credit subservient to their own local purposes in what is, after all, a mere matter of pecuniary economy. I am afraid that inconvenience may arise from the prolonged and indefinite continuance of very large subventions to local Bodies even for purposes of great value and utility. The regular employment of the public credit for borrowing in the money market with a view to lending again is, I think, a practice that requires the very careful consideration of Parliament. It is attended with a good deal of inconvenience, and I look upon it with much jealousy. I almost hope for Parliament to say that the natural limit of the lending power of the Government for parochial and local purposes would best be found in the amount of those funds which the Government receives as a banker of the savings of the country. These are very large and increasing funds which place a most useful power in the hands of the Government, and in regard to which there could be no objection whatever to their using them as bankers would prudently use their banking funds, in giving them to those who have occasion for them, and would make good use of them—in this case to be used by local Bodies for purposes approved of by the State. But I am now assuming that we have reached a point at which we find we have only limited funds at our disposal, and are not inclined to go indefinitely into the market to borrow money to enable Government to lend it again even for good purposes; and I want to look at the case from that point of view. I assume that the purpose which is contemplated by my hon. Friend may come into competition with the demands of the local Bodies in England for enabling them in the most economical manner to fulfil the purposes contemplated by various useful Acts of Parliament. I do not hesitate to say that in this competition of claims the claim which is now before us is very much the higher claim. These sanitary and other local demands are very fair and very legitimate indeed; but, after all, they come simply to a question of a certain money economy. On being entertained, they enable local communities to do a little more cheaply that which they would be perfectly able to do in some other way at a somewhat greater expense. I do not desire to charge that expense upon them; but I wish to compare with their claim, which is simply economical, the claim which is now before us, and which is by no means a simply economical claim. It is a moral, social, and political claim, connected with a purpose which goes right to the heart of the great Irish question. This is a matter in which we have all been anxiously engaged for a great length of time in endeavouring to give solidity to the social system of Ireland. I need not refer to the authorities—ample, undoubted, undisputed authorities—who recognized the connection between creating—without forcing, and provided there be a disposition to do it—a yeomanry in Ireland, a small proprietary in Ireland, and the real welfare of Ireland in its highest interests. Therefore, I earnestly hope that Her Majesty's Government will not, on financial grounds, hesitate to adopt a Resolution of this kind, moderately couched, and leaving to them the discretion as to the mode of procedure. If the only misgiving upon the mind of the Chancellor of the Exchequer be a misgiving lest he should find the House indisposed to support him when he makes a reasonable demand upon us to increase his control over the expenditure for local purposes from the central funds of the country, I desire, as far as I am concerned, to assure him of my disposition to give him the best support in my power; and then I feel myself better entitled to say, as I now say very earnestly, that I hope the Government will not forget the very elevated rank of this particular demand upon the pecuniary assistance of the State, because it is a demand which goes far above the region of merely economical considerations into the highest interests that belong to the State.

MR. SYNAN was of opinion that the acceptance of the qualifications proposed by his hon. and learned Friend the Member for the University of Dublin (Mr. Plunket) would provide the Government with a shield, and would render the Resolution inoperative. The Judges of the Landed Estates Court said they found it impossible to carry out the provisions of the Land Act. They could not rob the landlords or the creditors, and they could not give priority or preference to the tenants. Therefore, the clauses of the Act became inoperative. The evidence before the Committee went to show that if this was to be made an operative Act of Parliament, they must employ machinery which would effect that purpose. The Landed Estates Court would do very well as a kind of arbitrator; but it was impossible for it to exercise power beyond that. The hon. and learned Gentleman (Mr. Plunket) said he made certain proposals to the Committee. No doubt, he did. He suggested that certain questions should be considered; but he proposed no machinery by which they would be considered; and when the Committee came to consider its Report, they passed an amended one over that of the hon. and learned Member by a considerable majority. They said that it was found that the fundamental difficulty of the present system was to form the land into lots to be sold to the tenants, paying at the same time due regard to the interests of those whose property was dealt with. If the Government were not going to adopt that Report—and it would appear from the language of the hon. and learned Member that such was to be the case—then no substantial results could reasonably be expected from any Resolution which might be agreed to. Was it the question of expense that influenced the Government? But they need not have the expense of a new Body. They had already the Board of Works, which required to be reformed, and they had the Valuation Board, which was employed at this moment to make a valuation of certain lands. What more competent Body could there be to administer this law between the Landed Estates Court and the tenant, and bring the tenant into direct communication with the Court than the Valuation Board, who were at present employed in the valuing of lands? That Board was not likely to over-value the lands; neither were they likely to listen to any extravagant opinions which might be put forth by the tenants. He knew the tenants of Ireland well, for he had been in close relationship with them all his life, and he knew that they were aware what they were doing—that they were paying instalments to Her Majesty's Government, and that those instalments would cease at the end of 35 years. What apprehension could there be, bad even as the times were, that the money would be in danger? The valuation would be made by the Government's own Commissioners in Dublin, and they had £6,000,000 of the Church funds in their hands which could be drawn upon as preliminary if the Treasury was too much embarrassed, as it seemed to be, by its present Expenditure. What was before the House now was not the mere words of the Resolution; but whether Her Majesty's Government would accept the Resolution with the intention of carrying it into effect? Let the Government tell the people of Ireland what they meant to do—whether they meant to carry out the "Bright Clauses" in their proper sense, and not in the sense of the speech of the hon. and learned Member for the University of Dublin, which would only be a farce. The Resolution might be accepted and still remain a dead letter, or, if they pleased, the Government could bring in a Bill which would speedily become law. The only imaginable reason that could be assinged for their inaction was that they had not accepted the Report of the Committee in its integrity.

Mr. KAVANAGH said, he had no hesitation in giving his support to the Resolution, which was calculated to confer a real and material benefit upon Ireland by creating a class corresponding to the yeomen of England. The want of such a class was a disadvantage to any country, and, perhaps, the entire absence of such a class was felt more keenly in Ireland than it would be in any other country. There were many peculiar circumstances connected with Ireland, such as the fact that a great extent of the land was owned by large proprietors, who, unfortunately, were not resident in the country; and, inasmuch as the Resolution proposed that facilities should be afforded to encourage the growth of a class of yeomen, he could not withhold from it his support. Of course, such a Resolution, considering the source from which it sprang, would naturally be examined jealously, if not with suspicion, by Irish landlords. But having so examined it, he must say he found in it nothing which he could not adopt; but he was not prepared to go the length the hon. Member for Reading (Mr. Shaw Lefevre), had gone in a pamphlet he had published on the subject. He did not think the facilities for purchasing holdings should be extended to the lowest class, involving, as that was almost certain to do, eventual loss to the State, seeing that it was not likely that the whole purchase-money could be acquired by the labour of the purchaser. If a man whose labour was his only capital failed to pay his instalments, how was the State going to enforce payment of the debt? He had a great objection to placing the Government in the position of a landlord who was bound to sell-up the tenant. Unless the House was prepared to accept the fact that the purchase-money advanced to the lowest class of cottiers would be lost it would hardly be wise to make the advances. As a landlord, he did not want to ask the House of Commons for this money to afford him facilities for disposing of his property; and, therefore, it would be wise for the House to accept the spirit of the Resolution without contemplating its unlimited application. Not second in importance to the question of finance was that involved in the establishment of a cottier class and the tendency to sub-division and sub-letting in a population entirely dependent upon the soil. Anyone who remembered the condition of Ireland before the Famine would view with apprehension any encouragement of this tendency, which seemed to become stronger as the holdings got smaller. There was another view to be taken of this question. He asked those who had experience in Ireland, whether they thought it would be well to go any length in increasing cottier proprietors in that country? Those who had travelled by the Southern and Western Railway in Ireland could hardly fail to notice a district inhabited entirely by that class. Their cottages were of the most miserable description, not fit for human abodes. With a holding of two or three acres, the cost of building even a very moderate cottage decently fit for a man and his family would come very near to the fee-simple value of the land. And unless the State was willing to help the owner to build a cottage, very little good would be done. It was difficult to establish a hard-and-fast line; but whether the holding was 100, or 50, or 40 acres, it would be most important to establish a class with a direct stake in the country who would become the natural supporters of law and order. He would be glad, now that the people were peaceable and loyal, that some generous measure, conferring material benefit npon them, should be granted by Parliament, and that they should be taught that goodwill and respect for the law were more powerful in producing measures of this kind than rebellion and crime. He was glad the hon. Member for Reading had brought forward this Resolution, and he hoped, if adopted, its action would be beneficial.

COLONEL COLTHURST said, that if the witnesses heard before the Committee were unanimous about anything it was on this point—that there should be no limitation placed on the quantity of land, for the purchase of which facilities might be afforded by the State, but that the purchaser of one acre and the purchaser of 500 acres ought alike to be proportionately assisted. With respect to the value of the cottier classes, he must express a very different opinion from that of the hon. Member for Carlow (Mr. Kavanagh); and before the Committee Mr. O'Brien and Major Dalton gave evidence in favour of the cottier system, as providing a means of dealing satisfactorily with the great difficulty of housing the labouring population. He happened to know of two cases—one was in the County Kildare, near Newbridge — where a considerable number of cottiers had reclaimed bog by their own labour, whose holdings varied from one to five acres, and they supplied what he might call the surplus labour of the country. He had been assured by a resident gentleman in the neighbourhood that but for the existence of these cottiers the farmers would find it utterly impossible to savet he turf, the potato, or the corn harvests. The other case was in the County of Cork, where the same class of people, without any absolute security, but merely on the moral security that they would not be disturbed, had reclaimed a barren mountain, and, by working amongst the farmers, were enabled to live comfortably upon plots of from five to 20 acres. He held in his hand the Reports on the condition of the labouring population of Ireland, drawn up in 1870, and he assumed that their condition was no better, if it was no worse, now than in 1870. There were the Reports of 11 Inspectors, and nine out of that number reported that the labouring population were thoroughly discontented, assigning as a reason the wretched houses in which they lived, and, indeed, the difficulty of obtaining houses at all. Mr. O'Brien pointed out that one of the causes of this had been the disinclination that had existed on the part of too many of the landlords of Ireland for the last 30 years to allow any houses whatever to be built on their property, nor was it to be expected that the farmer should go to the expense of building them, seeing it was only at particular seasons, and not all the year round, that he required the services of more than two or three men. These lived in his own house as servants, and were the most discontented and turbulent class in Ireland. Then, unfortunately, the clause moved by Mr. William Gregory, when the Act of 1870 was under discussion, giving power to tenants, without coming under the sub-letting penalties, to erect houses for 25 acres, fell through; and, therefore, in the majority of instances, the tenants were not allowed to build houses even if they were inclined to do so. The great bulk of the labouring population in Ireland were living in wretched cabins, or, still worse, huddled in lanes and alleys of the towns and villages. He hoped, therefore, that in any legislation which the Government might think fit to initiate upon this subject, they would not fall into the trap laid for them by the hon. Member for Carlow. He honestly believed it would be far better to reject this Motion altogether than to put any limitation upon the size of the holdings to which it should be applied. He believed that the operation of any measure of this kind must be limited. Still, if the Resolution was carried out in a liberal spirit, he thought that the House would have done its best to show the labouring population of Ireland that it took an interest in their position and desired to improve it.

Colonel KING-HARMAN was prepared to say that had he had the honour of serving on the Committee he would have gone a little further than his hon. and learned Friend the Member for the University of Dublin (Mr. Plunket) in facilitating the purchase of small holdings by the occupiers. It was a remarkable thing that during the Fenian scare, in the part of Ireland in which he was resident, there was hardly a single man renting above 10 acres of land who was a Fenian. The reason was this—They had heard that when the Fenians took possession of the country they would parcel it out in farms of 10 acres each; and, therefore, every man who held 11 acres was an opponent of Fenianism. If, as rent-paying tenants, they were so loyal as that, how much more so would they be were they owners of the land? He thought that in all cases the purchasers should be assisted to the extent of three-fourths of the purchase money; and where a man had shown certain business qualities in earning money and then expending it in a proper way, he would help him to the extent of four-fifths, nor would he prevent the borrower, when he did come to re-pay, from accumulating his instalments, thus enabling him to get clear of his indebtedness as soon as possible. The work would, of course, have to be carried out gradually—say, at the rate of 1,000 tenants per annum; and although, in all these matters, the interests of the tenants were usually spoken of as the only thing to be considered, yet he considered the landlords were also much interested in the subject, and he, as one of them, would say that they would be very willing to have their outlying property taken off their hands in the way proposed. There was in some parts of Ireland what was called the Spencer system, under which money prizes were awarded to those small tenants under £8 valuation, who laboured to improve their domestic condition, and it was wonderful how much that slight stimulus to industry had accomplished, as was to be seen at Ballahaderreen, in the counties of Roscommon, Sligo and Mayo—a wild region of 12 miles square, on which there was not a resident gentleman's house, but where the peasant proprietors lived in contentment and comfort, and the more the comforts of the people were increased the greater would be the advantage to the Government and to the Revenue, for the more they raised the people the more would be raised their consuming power. He trusted that the Government would give effect to the Resolution freely, not grudgingly, and would remember that this was a measure of justice which would go to the heart of every man in Ireland.

Major NOLAN, having served on the Committee, wished to say that although the Resolution had certainly been accepted by all the speakers who had up to then taken part in the debate, yet the tone which had been adopted on the other side of the House had not been altogether what he would wish. Still, he had no doubt whatever that after the speeches which had been delivered from the other side the Government would accept the Resolution, which was not a very strong one. No one could, however, find fault with the speech of the hon. and gallant Member for Sligo (Colonel King-Harman); but he must say that the speech of the hon. and learned Member for the University of Dublin (Mr. Plunket), who led what he might almost call the opposition, was not of a very encouraging character. As to the speech of the hon. Member for Carlow (Mr. Kavanagh), it was good as far as large holdings of from 100 to 500 acres went. The hon. Member was in favour of establishing that class of men in Ireland; but he (Major Nolan), expressing as far as he knew the feeling of his constituents, would say at once that he should not vote for any measure of this kind if it were limited to holdings of from 100 to 500 acres. The hon. Member for Carlow had given the House one instance of the condition of small proprietors. He said that on the South Western Railway, in the County of Kildare, there was a number of small proprietors who lived in wretched dwellings, and were altogether very unfavourable specimens of what they might expect small proprietorship created in greater numbers would be in Ireland. He had no doubt that the people to whom the hon. Member referred were those near Kilcullen, and their wretched condition was easily explicable. They were not small proprietors in the proper sense of the word. They were squatters, who took possession of a common, and who were obliged to build their houses in one night, so that they could not have started with very good houses. They had not got any legal title, and, consequently, could not sell their holdings; and he fancied that they must have been a lot of vagrants, when they finally squatted. It would be unreasonable to take them as a fair specimen of what small proprietors in Ireland would be, who had paid a considerable proportion of the money for their holdings, and had good houses to start with. The opponents of any change in the present law were very anxious to prove that the few small proprietors at present in Ireland were in a bad condition; but the balance of the evidence adduced before the Committee went to show that they were, on the whole, in a better condition than their neighbours. However this might be, they ought not to judge of the future by the present class of small proprietors. At present, a small proprietor could not transfer his holding except at an enormous cost, and therefore a system of cheap transfer was much to be desired. He did not believe that if this Resolution were carried, and even if the Government went upon the lines of the Resolution, they would have achieved any very great object. But what he wanted to see established in Ireland was a cheap system of transfer of land, and it was in connection with such a system that this Resolution was of importance. If land could be sold in Ireland with about the same facility as stock was sold at a fair, in half a century or a century they would have got rid of all their difficulties about tenant-right, and they would no longer be troubled with a Land Question. He maintained that in order to bring up the arrears left by bad legislation, it would be right that assistance should be given to tenants to purchase their holdings; and he was convinced that if four-fifths of the purchase-money was advanced to solvent tenants—and it was not proposed to advance money to other than solvent tenants—there would be enough security for the advances made by the State. It was, indeed, said that there would be a sort of general strike against the payment of the instalment of the purchase-money, or against any steps taken to enforce its payment against the tenant purchasers; but he did not believe that anything of the kind would occur. No objection was entertained to selling-up a tenant for non-payment of rent, and it was clear that the public opinion in those who had paid up several instalments would be favourable to the enforcement of the instalments against newer purchasers. Of course, after a few instalments had been paid, the security of the Government would be ample, and would be of increasing validity. He trusted that the Government would give no grudging support to this Motion. Such a support as had been given to it by the hon. and learned Member for the University of Dublin would be of no value. What they required was such support as had been given by the right hon. Member for Greenwich; for it was clear that the difficulties with which he admitted that the question was surrounded could only be surmounted by those who had a real and earnest confidence in the system to which the Resolution referred, and were determined to spare no effort to give effect to it.

MR. MORRIS remarked, that any Chief Secretary for Ireland who conclusively dealt with this question would earn the lasting gratitude of the Irish people. He could not but be astounded at the wonderful unanimity with which the Resolution before the House had been received; and, therefore, he could not fail to be surprised at the fact that the debate had proceeded for so lengthened a period. Not a single argument had been adduced against the proposition which had been brought forward. Having, however, had considerable experience as an Irish land agent—a member of a class who had been spoken of as superior to the English land agents—he thought that the practical view which he was able to offer might be useful to those who had to solve that problem. He held that the settlement of that question would be the greatest blessing not only to landlords and tenants, but also to land agents in Ireland, and it would be a still greater blessing to England, inasmuch as it would tend to peace and quietude. Unless the Landed Estates Court and the Board of Works in Ireland acted together, it would not be possible to work any Bill on this subject to a practical purpose. He believed a letter was addressed every year, before the opening of the Session, by the Treasury to the Board of Works in Ireland, saying that on no measures for the improvement of Ireland should they expend more than a certain specified sum. The House would see that, while the Board of Works was thus controlled, it would be impossible to carry out any plan such as was contemplated to-night. He had listened with pleasure to the speech of the right hon. Member for Greenwich. Having come with deputations to the Treasury and the Board of Trade, he was rather surprised, however, at the liberality with which the right hon. Gentleman had advised the expenditure of money on this occasion. But if the proposed measure were passed, it would not be a settlement of the question, though it would go some way in that direction. It struck him that he had never seen a resolution of a Tenants' Defence Association, or of a Tenant-right Meeting in favour of such a proposal. What was really at the heart of the Irish tenant was fixity of tenure. Let it not be considered for a moment that he was advocating fixity of tenure. But it might be a good plan, in the sale of landed estates, and always with the concurrence of the owner, if the tenants on the estate were willing to pay half or one-third of the fee-simple, that the Court might be empowered to give them perpetuity before the estate was sold. That plan, without imposing any expenditure on the Government, would create a large number of tenants with fixity of tenure at a reasonable rent.

Mr. JUSTIN M'CARTHY said, he certainly shared to some extent the feeling of wonder expressed by the hon. Member who had just sat down at the unanimity which seemed to pervade the House with respect to this Resolution. There was, however, something ominous about that unanimity; and he, until he had heard in explicit terms what the Government proposed to do, would entertain a doubt as to whether it was not rather questionable and significant. The Resolution had been but a short time before the House as one accepted by the Government, or, at least, by hon. Members in their confidence; and yet the different interpretations placed upon it, and the objections which had been raised, would show how much of it had been filtered or nibbled away. The hon. and learned Member for the University of Dublin (Mr. Plunket) had objected to the words "without further delay." He seemed to think—as he (Mr. Justin M'Carthy) understood his meaning—it desirable that there should be considerably further delay before any serious attempt should be made to carry out the Resolution, and had also expressed a somewhat strong hope that the Government would not proceed to introduce any "large and strange measure" as the result of that Resolution. He (Mr. Justin M'Carthy) thought that any hon. Member who could believe that Her Majesty's Government were capable of carrying out any large and strange measure for the establishment of a peasant proprietary in Ireland must be possessed of a bold and poetic imagination. Again, the hon. Member for Carlow (Mr. Kavanagh) objected to what he called the spirit of the Resolution. The hon. Member approved its letter, which might mean almost nothing at all, but not its spirit. He was content that something should be done which would give an apparent, but not a real, force to the Resolution. That, too, was significant; and, although they could contrast with these expressions the admirable speech delivered by the hon. and gallant Member for Sligo (Colonel King-Harman), which seemed full of spirit and purpose, still such declarations as the House had already heard, taken in connection with the silence noticeable on behalf of the Government, might lead some to doubt whether the question was so absolutely settled as some hon. Members appeared to believe. Everything depended upon the intentions of the Government, and how soon they would set about giving effect to the Resolution. Hon. Members knew perfectly well that a Resolution might be accepted by Government in either of two ways. They could accept it with the intention of giving an honourable, true, and genuine force to its meaning; or they could accept it with the intention of smothering it, of withdrawing it altogether from the attention of the country, and allowing it to lapse out of all possibility of being carried into effect. He hoped that was not the intention of Her Majesty's Ministers. He would be sorry to compare those right hon. Gentlemen in many other ways to certain disagreeable persons known in classic history—the daughters of Phorcys, who had amongst them but one eye, which they used in turns, in order to see their way—but he had often thought that Her Majesty's Ministers resembled them in this respect—that there was but one eye in use amongst them—namely, the intelligence of the Prime Minister, who certainly had never shown himself ready to extend any "large and strange" measure of land reform to Ireland. It must be remembered that the people of that country had long been disappointed with regard to the settlement of the Land Question. They had seen so many "settlements" which, practically, left things as they were before, that they might naturally be supposed to be a little distrustful of a new attempt to have the matter settled over again. That very Land Bill, of which the "Bright Clauses" formed a part, was undoubtedly, in great measure, a deep disappointment to the Irish people; although no one could doubt the admirable purpose with which it was introduced by the right hon. Member for Greenwich, to whom he gave the credit of being the first English Prime Minister who had honestly endeavoured, at the risk of popularity and power, to carry out, to the best of his capacity and means, all the promises which he had made to Ireland. It seemed almost superfluous to say that equal sincerity and equal strength of purpose was manifested by one of his Colleagues, whose name was on all great occasions identified with the welfare and wishes of the Irish people—the right hon. Gentleman the Member for Birmingham (Mr. John Bright). Perhaps the most splendid opportunity for the settlement of this question which the present generation had seen had presented itself when the Irish Land Bill was introduced. Burke, in one of his speeches on Fox's India Bill, paid a high tribute to the genius of Fox; but, at the same time, he gave him a warning. He praised Fox for having put to pay his ease, his security, his interest, his power, and even his darling popularity, on behalf of a people he had never seen—the people of India. He (Mr. Justin M'Carthy) believed the right hon. Gentleman the Member for Greenwich had also risked his security, power, and popularity on behalf of a people he had then never seen—the people of Ireland. But Burke went on to say that Fox ought to be sure, when he entered upon his scheme of benevolence, to make full use of his time, and to give the whole length of the reins to his benevolence; and it had sometimes seemed to him (Mr. Justin M'Carthy) that, whatever might be the reason, the Government of the right hon. Gentleman the Member for Greenwich had not given the whole length of the reins to their benevolent intentions, although they had certainly established a great principle, and made a great opening for a final settlement of the Land Question, when they endeavoured to satisfy the demands of the Irish people. He had heard it stated in Ireland, by men who understood the situation of affairs, that the Land Bill had acted in many ways as a kind of encouragement and sanction to eviction. The clauses which allowed the landlord and tenant to contract themselves out of the Act did certainly seem to give a sort of legal sanction to eviction, and to encourage the landlords to convert small farms into great ones; and, with regard to the particular clauses under discussion, hon. Members had heard it clearly explained in what way they had failed to carry out the intention with which they were framed. He had received, in reply to an inquiry addressed to a leading man in one of the Irish counties as to the working of the "Bright Clauses," a letter stating that the gentleman referred to could give no illustration of their effect, inasmuch as he had not known of a single instance in which they had been applied. Hon. Members had seen how the working of those clauses had been clogged by the machinery of officialism; how the Courts of Law seldom interpreted in favour of the tenant, but mostly in favour of the landlord; and, at last, how the clauses had become an inert and motionless principle in Irish legislation. They had seen, however, on the other hand, how similar provisions had worked under the auspices of the Church Commission. In that case, it had been shown that where the Irish people could easily avail themselves of those provisions, they had manifested a strong desire to become, whenever they could, owners of land. He referred to those points, to show that there still remained a large unsatisfied debt to the Irish people with regard to land legislation; and that it depended entirely upon the use which Her Majesty's Government made of the present Resolution whether it should be of any value in the settlement of the question, or whether it should be a mere nonentity, and an insult to the people of Ireland. He sincerely trusted that the Government would rise to the height of the situation, and endeavour to make their action genuine and effective. At the same time, he entirely agreed with the hon. Member who had said that if the Government were not in a mood to carry out the Resolution in a complete and proper manner, it would be more fair to the House and to the Irish people for them at once to give it a negative, and assume the position of genuine opponents. He could assure the House that the feeling of the Irish people was as strongly set upon some improvement of the land system as it was before the right hon. Member for Greenwich endeavoured to devise a settlement of the question; and that they would not be satisfied merely with an agreement to a Resolution which might mean something, or might mean nothing, according to the manner in which the Ministers chose to interpret it. It had been gratifying to notice the almost total absence from this debate of that phantom of false political economy which had so long presented itself in the discussions upon Irish affairs. That sham political economy had almost all proceeded from the Conservative Benches. He knew not whether it was that the Conservative Members, having taken up the doctrines of Adam Smith at a somewhat later period than their opponents, had become more anxious to identify themselves ostentatiously with them; but certain it was that the country had learned much of the true principles of political economy by the discussions which had taken place upon Irish questions. Ireland had been used for the purposes of political dissection, in much the same way as a body was used by those who wished to understand the true principles of anatomy. It was often said that we in this country learnt geography by studying the maps on the outbreak of new wars; and certainly he must do Her Majesty's Government the justice of saying that as long as they had been in Office they had not neglected that branch of our education. He had been glad to notice that, so far, the question had not been made one of Party, and that there existed on both sides of the House a strong and earnest wish for a genuine settlement. It was gratifying, also, to see that the question had not resolved itself into one of landlord against tenant, for some of the most liberal speeches to which they had listened had come from landlords. All that looked hopeful; but whether the hope was to be realized or not depended entirely upon the action of Her Majesty's Government. Hon. Members had heard something the other day about a deathbed repentance. He had not much faith in repentances made so late; but, whatever time might still remain to Her Majesty's Ministers, they had one opportunity that night for showing that they meant the Resolution of the hon. Gentleman the Member for Reading to be accepted in a genuine and earnest spirit. He had offered these few remarks to the House, and had made this appeal to Her Majesty's Ministers, because he might regard himself in one sense as the latest messenger sent by the people of Ireland to the House of Commons to intimate their most recent wish in regard to the Land Question; and, in the name of the people who had sent him, he earnestly urged upon Her Majesty's Government to be serious, resolute, and prompt in endeavouring to bring about a settlement. To suppose that the Resolution could be regarded as a settlement of the whole Land Question would be to give it an extravagant and exaggerated importance; but the faithful carrying out of its provisions would be a step in that direction; and hon. Members should bear in mind that land reform was essential to the very existence of the Irish people. A great French writer had stated that "the land was the love of the French peasant;" and he (Mr. Justin M'Carthy) trusted that Her Majesty's Government would bear in mind that, without exaggeration, the land was the life of the Irish peasant.

SIR WALTER B. BARTTELOT congratulated the hon. Member who had just sat down on his eloquent maiden speech; but he ventured to hope that he would have a little more forbearance towards those who might differ from him, and that he would believe that those who differed from him did so honestly and conscientiously, and that their only anxiety was that Ireland should prosper, and that, so far as they were able, they would do all that in them lay to promote the interests of Ireland. He only heard the hon. Member make one remark which touched the question before the House, when he said that the Church Commissioners had done their work well; that was undoubtedly the fact; but the hon. Gentleman must know, if he had been in Ireland recently, and had seen how this question had been dealt with, that the two cases were not in any degree analogous. The one related to the sale of glebes, which were scattered over the whole country, and as to which there was little or no difficulty in the sale of their holdings to the tenants, either on account of the expense of the transfer, or on account of the tithe. The other related to the sale of private estates, on which there might be encumbrances in which there were in most cases life and other interests. The Acts referred to very different states of things. And in the case of the Land Act there were other difficulties to be contended with. They would find in *The Times* of that morning an account of the sale of an estate in the County of Cork, in respect of which the tenants had agreed to give 22½ years' purchase for their holdings. When, however, they came to bid at the sale, they sought to acquire the land at a reduced price. The Judge, however, most properly stated that, as they had agreed to give the amount stated, they were bound by their bargain. He had listened with pleasure to the speech of the hon. Member who brought forward the subject, and was aware of the great pains he had taken in reference to it. To one thing only in the speech of the hon. Gentleman did he object, and that was that whenever he brought forward this question he was defeated by a Party majority. The hon. Gentleman ought to know perfectly well that both sides of the House had endeavoured, to the best of their ability, to consider the Report of his Committee, with a view to giving effect to such parts of it as were calculated to improve the condition of the Irish tenant. He objected to the creation of a new Court, as proposed before the Committee by Mr. Vernon, for the purpose of carrying out the "Bright Clauses." He believed that all that was requisite could be done by means of the Landed Estates Court, if proper notice were given to the tenants and proper lots arranged, so as to enable tenants to purchase their holdings. What was the object of the proposed new Court? It was to buy, in the interest of the State, property which it was to re-sell, as land jobbers, to the Irish tenants. That would be a mischievous thing to do; because if there was a failure to re-sell, a large amount of property would be left in the hands of the State. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) knew that the clauses he had carried had been productive of much good, and there could be no doubt they would continue to be so; and he knew also that they had not been carried without great and grave deliberation on the part of his Friends, who thought that the proposals made were not wise ones. A great deal had been said about a peasant proprietary; and he quite agreed that in a country existing almost entirely, as Ireland did, upon agriculture, it was very desirable to increase the number of responsible tenants. He had known Ireland well for a very long time, and he could say that no country had improved so rapidly as she had during the last 30 years. Ireland, too, had suffered far less than England during the late depression of trade. Then, as to the Resolution—it looked a very harmless one; but if he knew anything of the hon. Member for Reading—and he knew something of him—there was a great deal more behind than appeared to the eye. It would not be honest on his part to vote for the Resolution without stating the reservations under which he would do so. He was opposed to the increasing of the aid to be derived from the Government for the purchase of holdings. It would not be a wise or prudent thing to do so. He hoped the time was far distant; but a bad time might come when the tenants who had become owners and mortgagors would be unable to pay, and what then would be the consequence of the Government foreclosing? They would, in any case, find themselves in a most unfortunate and embarrassing position. They had gone a very long way, indeed, in the interest of the tenantry of Ireland; but they should not forget another class which was very little represented on the other side of the House below the Gangway. He hoped the Government would state distinctly how far they meant to go in this matter, for nothing could induce him to have a rope tied round his neck by which he was to be drawn onwards he knew not whither. He trusted the Government would assure them that while they would do all in their power to increase the efficiency of the "Bright Clauses," they would not increase the money advances to the tenants, nor do anything in the way of altering the principle of the clauses in question. He believed it would be wise in the interests of Ireland to state exactly what their intention was, and not to pass a Resolution unless they declared how far it was intended to carry that Resolution out.

Mr. LAW said, he had imagined, until the delivery of the speech of the hon. and gallant Member who had just sat down, that the Government were prepared to accept the Resolution, at least, in the form in which it met the eye; but the hon. and gallant Member seemed to repudiate not merely the spirit of the Resolution, but even the form in which it was proposed to the House. The great difficulty in connection with the "Bright Clauses" was that the landowner would not, and ought not to be called upon to, split up his property, into lots to suit the tenants who wished to buy their holdings, at the risk of prejudicing the sale of the residue. If right hon. and hon. Gentlemen opposite meant to say that the interests of the owners and the interests of the tenants could be perfectly reconciled under the present system, the sooner they did so the better; but up to that time he had been under the impression that all parties admitted that the "Bright Clauses" had failed through the incompatibility of the two duties cast upon the same tribunal. The hon. and gallant Gentleman who had just spoken objected to the Resolution before the House, because he supposed that the adoption of the course suggested by the hon. Member who had moved the Resolution would involve a considerable expenditure by the State. But the proposal of his (Mr. Law's) hon. Friend, and of Mr. Vernon, was that some intermediate body should buy the property as ordinary purchasers in the Landed Estates Court and sell it to the tenants at such prices as would pay the cost of the commission. No one proposed that the cost of the commission should be borne by Imperial funds, or that even any risk should be thrown upon Imperial funds. To refuse, for some dogmatic reason, to adopt some such proposal as that of Mr. Vernon, when there was a very large preponderance of Irish opinion in its favour, would be to treat the demands of the people of Ireland in a very unreasonable manner. He (Mr. Law) also ventured to submit that if the Resolution was to be opposed by the Government some authoritative statement to that effect should have been made earlier in the evening. Could it, he asked, be seriously urged that landowners of 10 acres were as a class objectionable? Why, under the English Inclosure Acts the residues of manorial wastes had for the last 30 years been sold in 10-acre lots; and if it was not improper to make a man the fee-simple owner of 10 acres of land in England, on what ground could a proposition to do the same thing in Ireland be objected to? The principle, however, that the peasant proprietary of Ireland ought to be increased, had been admitted by right hon. Gentlemen opposite. The difficulty was to get them to adopt the only means by which that object could be practically attained. He would not go over the ground which had been so well traversed by his hon. Friend the Member for Reading (Mr. Shaw Lefevre); but he would venture to ask the House to remember that in nearly all Continental countries peasant proprietorship prevailed—that it brought comfort and happiness to the cultivators of East Prussia, as well as to the peasantry of Southern France, and that it flourished in our own, and in the Channel Islands, where even five or six acres was a respectable estate; and that being so, why should not all reasonable facilities be afforded to small farmers in Ireland who desired to buy the fee simple of their holdings? As a matter of fact, the best cultivated parts of Ireland were those where the smallest farm system existed. There was, indeed, at one time a difficulty in reference to excessive sub-division of land in Ireland, because the people could not bear to leave their native land; but that danger had all passed away owing to the spread of education, which caused Irishmen no longer to dread removing to distant parts of the world, whilst increasing numbers of them readily came to England and sought and found employment in the great commercial centres. Of late years, too, the Imperial Legislature had advanced millions to landlords to enable them to improve their estates; and he saw no reason why it should not now give help to the tenant-farmers of Ireland, in order that they might by purchase become absolute owners of their farms, instead of perpetuating the system, which had hitherto worked so badly. Hoping that the Government would now at length distinctly state their views and intentions on this most important subject, he concluded by saying that he should support the Resolution of his hon. Friend.

MR. BULWER remarked that if a Division were taken he should vote against the proposition that—

> "It was important that there should be considerable additions to the number of owners of land in Ireland among the class of persons occupying its soil."

He had been a landlord on a small scale in Ireland himself; but he was happy to say that, after considerable experience in that country, he had now no connection with it as an owner of land; but from his experience of it he did not think it was desirable that the number of small landholders should be increased; on the contrary, he thought that it would be advantageous if the number of that class of small farmers who aimed at being landowners, many of them without capital, without skill, and too often without industry, were considerably diminished and their holdings consolidated. In the County of Kildare, for instance, the Duke of Leinster's property was divided into large farms, which were let out to men of capital, who used steam-engines and other appliances in order to produce the best results. It was this class of tenants that were wanted in Ireland, and not petty tenants, occupying 10 or five acres of land. Not many years since he was on a visit to a friend in Ireland, the number of whose tenants amounted to between 600 and 700, and when going out to shoot one morning he saw his friend's hall-door surrounded by a number of persons, whom he took for beggars, and he remarked that nowhere else but in Ireland would you see a gentleman's hall door surrounded by such a lot of beggars. The answer to that remark was—"Beggars! why, they are our host's tenants." He asked what they had come for, and was told that probably each of them had got a "brief" with him—that was a petition—which he wanted his landlord to head with a subscription, to replace a cow or a pig that had died, or to repair the roof of his cabin. Was it for the interest of Ireland that persons of that class should be owners of land? Was it desirable even that they should occupy land? What they ought to do was to get rid of them from that position. They were not fit persons to own or to occupy land, for without money they would not properly cultivate it. In this country they would be labourers, and they ought to be labourers there. When Irish Members spoke of "tenants" the House was apt to forget that they did not mean the same class of persons as an Englishman would mean by the same term. The gentleman of whom he had spoken was anxious to get rid of some of these pauper tenants, and to consolidate their holdings into farms of size enough to attract men of capital who could do justice to the land; but, unfortunately, the Act passed which prevented a landlord from doing this, unless he was prepared to pay the value of the fee simple of his own property. What greater difficulty, he would ask, was there in the way of buying land in Ireland than there was in England? He presumed that if land was in the market in Ireland, and a man had money to purchase it, he could do so. Why then ask for legislation to enable one class in preference to another to purchase it? And as to increasing the facilities of the pauper class of persons he had spoken of to purchase land, they might as well talk of giving them increased facilities to purchase his (Mr. Bulwer's) hat. Would the right hon. Gentleman the Member for Birmingham (Mr. John Bright), who was a manufacturer, contend that a man was to be prevented from sending his goods into the open market, and getting the best price he could from anyone? If not, why should a seller of land be deprived of the advantages of competition, and be restricted by law to sell to a limited class? and why, further, should these facilities be offered to tenants in Ireland, which were not enjoyed by tenants in England? One of the great arguments, as he understood, of the right hon. and learned Gentleman who had just addressed the House was that there was a strong natural feeling in a man who was brought up on a farm to remain on it. He was perfectly aware that that feeling did exist, but it was a feeling of dependence; and was it desirable that the son of a pauper should be gratified by remaining on the land where he was born, unless he could do it with advantage to himself and to the community? What did the sons of poor farmers in England do? They did not remain loafing about the farms, without shoes and stockings, in the hope of one day stepping into their father's shoes. They went out into the world and sought their fortunes; and it was thus that the influence of their country was spread far and wide in all lands. He believed that if Englishmen would only go for their holiday to Ireland, instead of to Switzerland, they would learn much of the state of that country which would be of benefit to them, and might result in good to Ireland, for it was only their ignorance of that country that made so much pernicious legislation possible. He deprecated any legislaiion which fostered the feeling of dependence of which he had spoken, and gave encouragement to a pauper class to remain on land which they had not money to cultivate, in the hope that they might one day, somehow or other, by the aid of Parliament, become the owners of it. Such legislation would be bad for Ireland and bad for the United Kingdom.

Mr. JOHN BRIGHT: I think it is a matter of regret that, as yet, we have had no speech from the Treasury Bench. The subject is not an unimportant one; and I think that to allow the House to go on debating, for more than six hours, an important question without a single word from any Member of the Government, is not a practice generally followed by Members of an Administration. If nothing is said, I presume that we must take the last speech as an expression of their general sentiments with regard to this matter. Perhaps, if the Chief Secretary for Ireland rises after me, he will do what I think will be quite as important as endeavouring to answer anything which I can say—and that is, to answer his supporter who has just addressed the House. I think almost every hon. Gentleman who has spoken to-night has admitted how carefully prepared and how interesting was the speech of my hon. Friend (Mr. Shaw-Lefevre). It was an admirable speech, and must have produced a great impression upon every Member of this House who heard it, unless he is so steeped and soaked in prejudice that fact and argument were entirely lost upon him. An hon. Member on this side of the House, the hon. Member for Longford (Mr. Justin M'Carthy), whom I welcome here with most sincere pleasure, said, and said very truly, that the question now before us is not the whole of the Irish question connected with land. I admit that. Irish questions have been the perplexity of Governments, I suppose, from the lifetime of the oldest Member of this House. We have done a great deal, from time to time, in getting rid of a portion of them. In 1829, one measure was disposed of—Catholic Emancipation; in 1869, another great question was disposed of—the question of the Protestant Established Church. In 1870, an attempt was made to dispose of the Land Question, and a very considerable advance was made with regard to it. I do not know what the Chief Secretary for Ireland will say this evening; but I have heard him in this House, several times since he has held his responsible Office, say things which were very contemptuous of the Land Act of 1870. May I ask the House, may I ask any hon. Gentlemen who are disposed to take his view, what was the condition of Ireland at the time when that Act passed? We had agrarian violence and murders in many parts of the country. There were threatening letters passing by hand, or through the post, almost every week, if not every day. The land was full of violence and full of terror. I recollect when this very Land Bill was being discussed by the Members of the late Government, it was represented by persons well informed on Irish affairs, and not merely by

Members of the Liberal Party, or supporters of the Government, that such was the state of things in Ireland at the time that it was not unlikely that before long, if no remedy were offered, there would be something like a universal combination against the payment of rent. Well, who would have undertaken to collect rents from 4,000,000 or 5,000,000 people—from 600,000 tenants scattered over the whole of Ireland? That was the sort of difficulty which presented itself to the Government of the day. The Land Act was the fruit of it; and to show that the House of Commons and the other House of Parliament knew the danger which they had to encounter, the great measure passed both Houses with very little effective opposition. I will undertake to say that if had not been for the pressure of the sense of the extreme difficulty into which Ireland was brought, that measure, imperfect though some may think it, could not by any possibility have gone through both Houses of Parliament. Still, for all that, it was a great measure, and an honest effort to do justice to the Irish people. I have before now described it as a great plaister applied to a great sore. It gave relief; it soothed the patient; and, to a great extent, it calmed the country. But I have never met any Irishman, informed upon the condition of the country, and capable of judging upon political measures of this nature, who did not admit the immense gain which that Bill had been to Ireland. Now, let us consider how complicated the Act was, how great and intricate the interests affected by it, and how suffering and how irritating the condition of the country; and then I think we shall come to the conclusion that it was a great measure of statesmanship, brought into the House and carried by my right hon. Friend the Member for Greenwich, greatly assisted—and assisted beyond what most men knew — by the then Chief Secretary for Ireland (Mr. Chichester Fortescue), now Lord Carlingford. I have said this; but I am willing to admit that the Act itself was only partial, and the remedy was not radical, and was not complete. To my mind, it did not deal with the origin of the malady. You have a vast body of tenants face to face with a very small body of proprietors. If we look to the condition of land-holding and land tenancy in Ireland, a man must be totally unable to reason upon the question at all, if he does not see that the state of things is unnatural, is likely to be intolerable, and must be changed. I took up a little book the other day, in which I have taken some interest. It is called *Letters on Free Trade in Land*, by the late Mr. Joseph Kaye. I have taken from it some figures, which are few, but striking. He states, what many Members, of course, know, that Ireland contains about 20,000,000 acres of land. He says that 452 persons own each of them more than 5,000 acres; that 135 own each more than 10,000 acres; that 90 own each more than 20,000 acres; that 14 own each of them more than 50,000 acres; that there are three who hold each more than 100,000 acres; and that there is one person who owns more than 170,000 acres. And he shows that two-thirds of the whole acreage of Ireland is in the possession of 1,942 persons. That is less than three times, and little more than double, the number of persons who are within the walls of this House when there is a great debate and a full attendance of Members. The result is, notwithstanding the passing of the Land Act, that we have discontent; and, unfortunately, the increasing prosperity of the country, to which the hon. and gallant Baronet opposite (Sir Walter B. Barttelot) has referred, makes that discontent the greater, and, for this reason, it makes the tenants more obstinately—and I may say, frantically—cling to the land they hold; and they are more afraid of an increase of rent than at any other period, because they know that with prosperous tenants rents are more likely to be increased than when tenants are known to be dejected and suffering. The general result is what we see—a clamour nearly all over Ireland for a greater security than that offered and sanctioned by the Land Act. And there is no question like this. I appeal to Irish Gentlemen on this side of the House, and to some on the other side, and I ask them, is there any question in Ireland at this moment, or has there been for years past, that so moves the feelings of the Irish cultivating land-holding class, as this very question and kindred questions that we are now discussing? The question, for instance, of Parliamentary suffrage which we have had before us, the municipal suffrage, any question that you like to mention that has been brought forward by Irish Members of late years, there is not one of them—the Home Rule question, and I do not say how much or how little it is cared for—but I say, without fear or hesitation, that neither that, nor any other question, has the same influence on the feelings of the Irish tenants of land as this question of their security on the soil. And what can be more reasonable? Land is their only resource. It is all they have for their homes, for their comfort—indeed, for their bread; and, without it, there is nothing before them but poverty, dependence, or emigration. Now, I do not regret that I am not an Irish landlord. An Irish estate is an undesirable possession. But if I were an Irish landlord I think I could regard this question from that point of view in a very different manner, and in a very different light, from that in which I see it is regarded by many Irish landlords who sit in this House. How soon or how long do Irish landed proprietors believe that they will be able to resist the growing feeling in Ireland in favour of some greater security for their tenants? They clamour for legislation; and I admit that much of their clamour is for a legislation that, in my opinion, is neither sound nor just to other classes in the country. That I am not disposed to deny at all. But, still, that they have a ground for their clamour it is impossible to call in question. There are two great interests face to face—the few owners, and the multitude of occupiers—the 12,000 owners who have landed property, perhaps, of 100 acres or more—and I am not speaking now for anyone who has one, two, five, or ten acres; I call no man a landowner, in the ordinary sense of the word, who owns less than 100 acres. Well, you have 12,000 of these face to face with 600,000 tenants. Every tenant has his family, and his home, and his interests, and his country, and his idea of justice, and his determination to live and to prosper; and the penuriousness, if you like, of the Irish tenantry shows how anxious they are to do what they can for their families, and to provide small portions for their children. Now, what will you do, the occupiers being this vast multitude, and the owners this small section, a mere handful in the country, and the occupiers continually, by a stronger and more united voice, declaring that their security is not that which is just for their families, and not that which is best for their country? If it were not for the landowners of England, and the power of Britain, and for this Imperial Parliament, are you not conscious of it, that measures would be proposed and would be passed in Ireland which would be very hostile to the proprietary class, and which might be very near akin to what some of us would call confiscation? Now, what do we want in this House? We are only considering one of the propositions to-night; but, in my opinion, there are two things which this House ought to undertake to remedy the state of things in Ireland. The first should be to withdraw all the legislation which tends to the accumulation of land. There are natural forces of accumulation, and there are natural forces of dispersion. You add mightily to the power of the forces of accumulation by your law, and you thwart and baffle in every way the natural forces of dispersion. And the consequence is, that you have this catalogue of holders of land—two-thirds of the land held by 1,942 persons, and 600,000 tenants cultivating their land, paying to them rent, and, in past times, being to them, I may say, little better than in a condition of serfdom. Now, the Resolution to-night is but one branch of the subject; but what I hold to be very important is that it touches another branch of the subject, which is intended to counteract the departures, which Parliament has sanctioned for generations, from every sound principle of political economy in dealing with land in Ireland and in Great Britain. The Resolution is not new. There is not a word in it that was not introduced into the Act of 1870. My hon. Friend the Member for Reading is not offering a new principle or a new practice. He is proposing only that which the Cabinet of 1870 agreed to, and which it offered in certain clauses to Parliament, and which both House passed, I believe —though I was not present—without a Division. Therefore, he is only calling upon Parliament to do that which Parliament itself has undertaken to do; and which, in 1870, it would have effectually done, no doubt, if it had been well informed that the clauses as they passed were not likely to be effectual for the purpose for which they were intended. My hon. Friend, therefore, only asks that the House should certainly apply the intended legislation of the Land Act of 1870. My right hon. Friend opposite (Mr. J. Lowther) despises the Land Act of 1870, and expresses his contempt for it, and, for aught I know, he may do so to-night; but it was an Act passed by great majorities, and he will not say that it is not the duty of the Government of which he is a Member to make effectual that which the Parliament of 1870 intended with regard to land in Ireland. Now, the purchase clauses of the Land Act were meant to be a very successful plan, bringing about that which Parliament intended. I believe they have not been effectual. The hon. and gallant Baronet opposite (Sir Walter B. Barttelot) —who reminded me of the remark of an American humourist, who said lately, when he was over here, that he intended to come back some day soon from America, and that he would deliver a series of lectures upon a subject with which he was not acquainted—the hon. and gallant Baronet told the House that he thought the purchase clauses of the Land Act, on the whole, were working very satisfactorily; that it was only nine years in operation, and that £400,000 had been expended out of £1,000,000 which Parliament granted. But there are scores of thousands of tenants in Ireland at this moment who would be anxious to buy their farms; and if these clauses had been as effectual as we proposed to make them, I have no doubt there would have been by this time—in the nine or ten years—some scores of thousands of tenant-farmers in Ireland who would have been transformed into owners of their own farms, and would have added, to a degree beyond all computation, to the good of that country in regard both to its social and political condition. And wherever the Act has been effectual—that is, with regard to persons who have bought under the expenditure of that £400,000—and whereever persons have bought under the Irish Church Commission, there is the most abounding evidence that the success with regard to the purchases has been not only encouraging but complete and delightful. There is no difference of view amongst any class of persons with regard to that fact. Our object is to extend such a state of things. My hon. Friend does not ask you to consent to anything like confiscation. The hon. and learned Member for Ipswich (Mr. Bulwer), in that remarkable speech, spoke as if this was a plan that would not allow a landed proprietor selling his estate to get the best price for it. Why, nothing can be more absurd. I beg his pardon for saying so. There is nothing in this proposition—nothing intended, nothing possible—that would take one single farthing from the price of any estate that any proprietor had to sell. And he talked about "all these paupers." Well, whether they were paupers, or poor tenants struggling amid their difficulties, if I had had to speak of them, I would not have spoken of them with so much contempt. Their condition is bad enough to bear; but I think it does not become an English House of Commons that an English Gentleman, who goes over to Ireland, turning out in the morning, as he said, to shoot or to fish, should come down to this House and use the language that the hon. and learned Gentleman used to-night, speaking not only of that body that he saw at that door, but in language which intimated that he had scarcely any better opinion of the great body of the small tenantry of Ireland. Bear in mind, in regard to the hon. and learned Gentleman and others who may object to this clause, that not only is there no confiscation intended, but this clause had nothing to do with the question of fixity of rent, valuation of rents, or fixity of tenure, except this—that it will give fixity of tenure to a farmer upon his own land, not upon the land of the hon. and learned Gentleman's friend; and fixity of tenure upon a man's own land is, I think, one of the best kind of fixities a man could wish for. So that we have no confiscation, we have no fixity of tenure, we have no valuation of rents; and we shall have no feuds, no conflicts, and no violence. By the help of the State, acting in one of the ways most benevolent to its people, we shall transfer from landowners who wish to sell to tenants who wish to buy that which is to the tenant his home, and comfort, and bread, and freedom. By doing that, the great compensation you will have will be this—that the tenant will be peaceable and loyal; and as he will be anxious that your laws should be wise and just, he will be the very last man in the country that will lift his arm to break your laws. Now, that is what we propose by the policy of this

Resolution; and I venture to ask the proprietors who are here—the hon. Member for Carlow (Mr. Kavanagh), the hon. and gallant Member for Sligo (Colonel King-Harman), who, I think, very warmly supports this Resolution, or any Member for Ireland on that side of the House—who are in doubt whether it would not be much better for them and for their class if there were 100,000 tenants in Ireland averaging—anything you like—from 10 acres up to 100, who could be transformed into proprietors of their farms? Is there one of the 12,000 proprietors who does not feel that his position as a proprietor would be enormously strengthened by such an addition to the array of proprietors? Does he not feel that the clamour for unsound and unjust legislation, of which we have heard a good deal, would, in all probability, subside, and that we should hear little, perhaps, no more of it? Now, the right hon. Gentleman opposite has been Chief Secretary of Ireland for a good while. I do not know anything he has done for Ireland since he has been in Office. I do not know anything that his Government has done for Ireland for the last five years. I wish they would do something for Ireland. Before the Government of my right hon. Friend the Member for Greenwich was in Office, I recollect speaking from that side of the House, and beseeching Mr. Disraeli, who sat on this Bench, and the right hon. Member for Greenwich, who sat on that Bench, to lay aside, if it were possible, Party feeling with regard to Irish questions, and to have an Irish Session—or more than an Irish Session—for the purpose of endeavouring to pass through Parliament some Acts of justice for the people of Ireland. I believe there never was a smaller proposition offering greater results than that which is before the House to-night. It has nothing new in principle. It is what the preceding Parliament agreed to, and without a Division. It is what men of all Parties in Ireland approve of. It is what some hon. Members on that side of the House from Ireland, and who generally do not agree with us, strongly approve of. It has in it no single element of disturbance of any man's property, position, or interests; but offers nothing but good —unmixed good. Parliament is willing, by an enormous majority, to pass it, and to pass a substantial measure in accordance with it. If the right hon. Gentleman and his Colleagues would only within the next fortnight, as they might easily do, draw up a Bill with a few clauses upon this question, and submit it to the House of Commons, I have not the smallest doubt that it would pass through both Houses of Parliament without a Division, as the purchase clauses of the Land Act passed. That would be hailed in Ireland as a real measure of justice and conciliation; and in 10 years—the time that has nearly gone since the Land Act passed—there could be thousands of independent farm-owning cultivators in Ireland, who would be among the best, the most loyal, and the most approved portion of the population of that part of the Empire.

Mr. J. LOWTHER: The right hon. Gentleman complains that no Member of the Government has risen to address the House; but as the subject which has been engaging our attention this evening is none other than that which is popularly known as the "Bright Clauses" of the Land Act, I am sure that the House, while the right hon. Gentleman was in his place, would not have considered a discussion on this subject complete until it had heard his opinion. It was only courteous, then, as I thought, to wait until the right hon. Gentleman had spoken; for it would have been idle to have attempted to dispose of *Hamlet* in the absence of the Prince of Denmark. The right hon. Gentleman was very anxious to reply to me, which I feel to be a great compliment; and as the right hon. Gentleman had no speech of mine made this evening to answer, he proceeded to reply to a series of speeches which, he said, I had delivered on former occasions, and in previous Sessions. The right hon. Gentleman was so anxious, indeed, to reply to a speech of mine, that he replied to one I never delivered. He spoke of me as having alluded contemptuously to the Land Act. He alluded to me as having spoken of that measure with contempt. Now, Sir, I am not in the habit of applying terms of contempt to either things or persons with whom I do not happen to agree; although, if I adopted a different course, I might, undoubtedly, have quoted distinguished examples. It is true, Sir, I have never hesitated, on whatever side of the House I have been sitting, to express my candid opinion of the Land Act of 1870. Whether I was standing here, or standing opposite, or standing in any part of the House, I have never varied my opinions; and I have always endeavoured to state them precisely in the same way. What I have said on former occasions I repeat now. I look upon the Land Act as bad; but as it has received the assent of the Legislature, I consider it to be our duty to protect those vested interests which have grown up under the Act; and I should be the last person to seek to set aside those interests, and to be a party to any suggestion for renewing the spirit of disturbance of the institutions of the country, which, I think, for so many years worked such great mischief. The right hon. Gentleman, Sir, having disposed of my opinion on the Land Act, proceeded to state his own. He said that it was a great plaister applied to a great sore. He said that it gave relief; that it soothed the patient, and, to a great extent, calmed the country. But for how long did it calm the country? Does the right hon. Gentleman recollect that within 12 months of the Royal Assent being given to that enactment, which was to soothe the patient and to calm the country, that an enactment, than which, perhaps, none more repressive, though I think rightly so, was ever submitted to the Legislature—I refer to the Westmeath Act—had to be passed? That Act was introduced by the noble Lord who sits at the right hand of the right hon. Gentleman (the Marquess of Hartington), and who then, also, sat by his side. Does he remember that that Westmeath Act suspended the liberty of the subject to a degree greater than any enactment which has ever been passed through Parliament before; and that it was proposed by the Government of which he was a Member, as, I suppose, to further soothe the patient, and still more effectually to calm the country? But leaving that portion of the Land Act, which is not now immediately before the House, I should like to say a few words with regard to the subject introduced by the hon. Gentleman the Member for Reading (Mr. Shaw Lefevre). With regard to the general principle of a peasant proprietary, I think the hon. Gentleman did not strengthen his case by going into it. I think if he had confined his speech—which I allow was one of great moderation as well as of great ability—to Ireland, it would have been better. His reference to other countries was, in my opinion, hardly called for, and, if I may venture to say so, was scarcely likely to assist his argument. I take it as a general principle that the establishment of a peasant proprietary is most mischievous. What is its effect? It means that the capital which should be expended in the cultivation of the soil is, in the first instance, expended by the tenant in the purchase of a portion of his holding, and that he and his family are saddled with debt for the rest of their lives in order to pay the debt. I do not dwell upon that point; but that is a fact. The right hon. Gentleman talked about Free Trade in land. The right hon. Gentleman, I know, is a great advocate for Free Trade—for Free Trade in commerce, for Free Trade in disease, and for Free Trade in I do not know what else. But is this a step in the direction of Free Trade in land? I say it is exactly the contrary; and that it is Protection in its most acute form. This Act, as I understand it, is an especial provision to withdraw land from general competition. I do not think that is at all an argument against it; indeed, I think it is one of the principal arguments in its favour. To my mind, the strongest case which the hon. Gentleman the Member for Reading placed before the House, endorsed as it has been by everybody since, was that under the Landed Estates Act sales take place which introduce to the ownership of land a class of purchasers which has hitherto certainly not conferred any benefit upon Ireland. It introduces, under the right hon. Gentleman's principle of Free Trade, a purchaser to whom somewhat hard terms have been applied. He has been called a land jobber; and I myself have ventured to refer to him as a carpet bagger. You find someone brought into a district with which he has had no previous connection. He is suddenly charged with the duties of an owner of property, for which he has had no previous training; and these, I confess, are not to me a desirable class of owners to introduce. It is said that their arrival is usually followed by a rise in rent, frequently also by outrages. But I think the strongest point in the case for affording some legitimate assistance to the occupying tenants to purchase their holdings is that the system would prevent the importation into the country of persons of that class. We have been asked several times this evening what are the intentions of the Government with regard to granting further facilities under this clause? I confess that the principle of endowing the occupier with ownership is a very great recommendation in Ireland, provided that such a change can be effected without any injustice to the original owner, and without throwing any undue burden upon the State. Something has been said about agrarian outrage. That, I think, is likely to diminish when, if it is to occur at all, it must take the form of suicide. My hon. Friend the Member for Galway (Mr. Morris), a man of great ability and experience, endorses the principle advocated to-night, speaking from the point of view of an agent. We are always glad to see him in this House; and we are always sorry when his duties call him away from us; therefore, the House must rejoice at the fact that these proposals will, in addition to disposing of landlords, also abolish agents. I gathered from the speech of the hon. Gentleman who seconded this Motion (Mr. Errington), that it was framed with no idea of forcing the hand of the Government, or of inducing us to enter into any hasty engagements which we might not be in a position to carry out. The words to which he most especially referred, and which found their way into the Motion rather late in the day, "without further delay," are, I understood him to say, not to be considered as requiring any action on the part of the Government inconsistent with any engagement into which we have previously entered, or of laying aside any measures to which we stand pledged, and for which we are responsible. I will be perfectly candid with the House, and say that Her Majesty's Government certainly will not immediately lay aside all those measures to which they stand pledged, and embark on this legislation. [An hon. MEMBER: The County Government Bill.] The hon. Gentleman has suggested a measure which is in the hands of a Colleague, and not in mine; a measure for which I personally stand responsible is the Grand Jury Bill; and there are other measures to which the Government stand committed. We, must, of course, consider these measures as well as the general legislation of the country, before we should put anything aside to take up fresh Bills; but I think the hon. Gentleman will be content with my assurance that this subject shall not escape the attention of the Government. [*Ironical cheers from the Opposition.*] I am glad to see that hon. Gentlemen opposite approach this subject in a spirit of good humour. I can assure them I am perfectly sincere in what I say. This is a subject which cannot be hurriedly decided. It has been engaging the attention of the Government, and it is still the subject of our anxious consideration. I am also by no means without hope that, even before the termination of the present Session, it may be in our power, I do not say to carry out any of those ambitious projects to which reference has been made, but (and it certainly will be my desire) to afford to the House an opportunity of removing some of the difficulties which at present exist in the application of these clauses to holdings in Ireland. Without specifying the particular points with which we propose to deal, I would enter into this engagement with the House—that the subject shall continue to receive our attention, and that we shall avail ourselves of an early opportunity of placing before the House some measure dealing with the question. Under these circumstances, I hope the hon. Gentleman will not insist upon passing any abstract Resolution of this kind, though, if he wishes to do so, the actual form which our engagement shall take is a matter of no moment; and, therefore, I hope the hon. Gentleman will be content with this expression of opinion.

MR. O'CONNOR POWER was pleased to find that, at the commencement of his speech, the right hon. Gentleman was in his usual good humour. There was a stage, however, when he thought the right hon. Gentleman intended to be serious; but, now that he had finished, he really did not know which was the most humorous part of his speech—the beginning, or the middle, or the end. He trusted, whatever might be the effect of that speech on hon. Members opposite, that no hon. Member representing Ireland, and knowing the feelings and wishes of that country, would imagine that the right hon. Gentleman was serious in the concluding words which he used. He could not suppose that Irish Members would be satisfied with the answer just given. Avoiding the main issue, the Chief Secretary had made a few remarks entirely beside the main question, but which might have some effect in prejudicing the minds of many hon. Members. Why was the Westmeath Act required? Because the settlement offered by the Land Act came too late. It would have been far more to the point, if the Chief Secretary had given them his opinion of the present state of the country, and told them the effect of the measure after it had been nine years in operation. Again, he had said that money which should be expended on the cultivation of the soil would be expended in the purchase of the holding, leaving the tenant impoverished and weighted with debt. But this Act really did not withdraw capital from the land. Already the State advanced three-fourths of the price; and it was now proposed that it should advance four-fifths. If that were carried, the tenant certainly would not cramp himself for want of capital. By these transactions, a new kind of capital would be created which did not exist before, and which would be a stimulus to renewed industry. It was the stimulus given to the tenant by the knowledge that he was the proprietor of the land. The hon. Member for Carlow (Mr. Kavanagh) had referred to the state of some cottier property in Kildare; but he did not say anything about the state of the cottages which the present land system in Ireland had given them. If the cottages of some peasant proprietors were poor, he knew very well that he shuddered at the state of the people in the West of Ireland, and at the wretched hovels in which they were content to live. By the Report of the Registrar General for Ireland, it appeared that in 1877 there were in Ireland 92,000 one-roomed houses, in which whole families, averaging six persons, lived, and went through all the operations of life. This was the condition of 92,000 tenant-farmers under the system which was so much admired by hon. Gentlemen opposite. If they wanted to know the real state of peasant proprietors, they ought not to take this solitary instance in the County of Kildare; but they ought to go to France, Belgium, or Germany, and compare the condition of the people there with that of the tenant-farmers in Ireland. Then they would arrive at something like a just conclusion. No doubt, as the hon. Member for Carlow said, it was very desirable to establish a class of yeoman farmers; but did he think that would make the remainder of the 600,000 contented? The Irish Church Temporalities Commissioners stated that the tenant-farmers who had purchased under the Act had given 23¾ years' purchase, whilst other purchasers had only given 21 years' purchase. Therefore, if the purchase of their farms by the tenants were facilitated, the result must be that the landlord would also be enabled to sell his land at a higher price. Thus, it was not merely to the interest of the tenant, but to the interest of the landlords and of the whole country, that this system should be widely spread. During 1878, according to the Commission, 380 holdings were sold to tenants, for which they paid £78,123. The Commissioners said—

> "We continue to receive Reports of improvements effected on their lands by the new owners, and another year's experience confirms the opinion previously recorded as to the beneficial results of the provisions in the Irish Church Act for creating a body of small proprietors."

This was the Report of gentlemen intimately acquainted with the subject, and written on the spot. It showed how readily the new owners gave themselves up to the improvement of their holdings. Yet, in the face of this Report, and after the Report of the Select Committee, for which they had waited two Sessions, they had the right hon. Gentleman pleading for more delay, because of his Grand Jury Bill, for which the Irish were so desirous that until that was out of the way he could not undertake more legislation. He, for one, would tell the right hon. Gentleman that he could keep his Grand Jury Bill, and that he need not set that up as an excuse for postponing legislation of a more satisfactory and thorough nature. As to what had been said by the hon. and learned Member for Ipswich (Mr. Bulwer), of course he had a right to his opinion; but was he so unreasonable as to expect them to accept that in preference to the opinion of the Select Committee, and in preference to the opinions of the very distinguished Gentlemen who formed that Committee? He had been taunted with declaring that landlords should be abolished. Well, he wanted to make the cultivators the owners; and in that sense, and in every legitimate way, he wished to abolish the landlords. Emigration had been suggested as a remedy for the present state of things, and it was a very improper remedy. Why should the people be punished by expatriation, because, under the present system, they could not earn their living from the soil? He believed if the land of England and Ireland were in the hands of peasant proprietors, that it could be made to double its present produce. Emigration, certainly, would not settle this question, and certainly would not settle it as far as it was a political question. Economical, social, industrial, and political questions were all involved. It was, indeed, the fact that a great part of the discontent in Ireland sprang from the artificial land system. The hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) had said that the Irish Members sitting on the Opposition side of the House were somewhat unreasonable in coming done one evening and asking for an equality of laws between Ireland and Great Britain, and in coming down on another occasion and asking for Ireland something which England did not possess. What had been asked for was political, not social equality. He (Mr. O'Connor Power) replied that the two peoples were dissimilar, and required dissimilar treatment; but the natural right of the Irish people to share in the Government of a country which they defended by the blood of their sons, on distant seas and in foreign fields—that was to say, their political right—did not deprive them of the social right to ask for such legislation as accorded with their position. From whatever point of view this question might be viewed, it ought to be borne in mind that after the Select Committee on which they had a large majority, and which sat during the greater part of two Sessions to collect evidence on the subject, had presented its Report, the Government had refused to be guided or influenced by the evidence so collected; and that the answer put forward that evening showed that, as far as any practicable legislation for Ireland was concerned, they had determined to take up an obstructive attitude. He hoped that steps would be taken to open the eyes of the people in Ireland to the hostile course pursued by the Government with regard to their wishes. The only reason he could discover for the Government not having given their opinion early in the evening was that they had not forgotten the approach of the General Election. Now, although it was generally understood that Irishmen were in the habit of using blarney for the purpose of deceiving others, they never allowed other people to blarney them; and he could assure the Chief Secretary, that he could expect to encounter from the Irish people and their Representatives in the House of Commons nothing but opposition, unless he and his Colleagues made up their minds to do some substantial act of justice.

THE MARQUESS OF HARTINGTON: Sir, as the arguments in support of the Motion have been very fully stated, I do not think it desirable to detain the House at any length by repeating them. I only desire to make one or two observations upon the statement which has been made by the right hon. Gentleman the Chief Secretary for Ireland, and upon the offer which he has made to the hon. Member for Reading (Mr. Shaw Lefevre). If I rightly understand the statement of the right hon. Gentleman, the Government does not intend to oppose the Resolution if it should be pressed by the hon. Member; but I think he also stated at the conclusion of his speech that, in consequence of the satisfactory assurance which he appeared to think had been given to his hon. Friend, it would be desirable that this abstract proposition should not be pressed upon the House. The right hon. Gentleman the Chief Secretary for Ireland, coming from York, ought to be a good judge of a bargain; but I think he must suppose my hon. Friend the Member for Reading to be deficient in this quality which distinguishes his countrymen, if he thinks he will be willing to accept his proposal. The hon. Member will not, perhaps, obtain much by insisting upon a Division; but he will obtain something. He will obtain an expression of opinion from the House that it is a matter of importance that a considerable addition should be made to the number of owners of land in Ireland, and that legislation should be adopted for increasing the facilities offered by the Irish Land Act of 1870 with that object, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the owners thereof. Further than this, my hon. Friend will obtain from the House an expression of opinion that it is desirable that such legislation should be adopted without delay. What has the right hon. Gentleman offered to my hon. Friend? He has made a speech which was not, at all events, very much in favour of the general principle of extending the number of small proprietors. The right hon. Gentleman will, however, accept it as an alternative preferable to that of agrarian outrage. So far as I can gather, that is the warmest approval which the right hon. Gentleman can be induced to give to the proposition of my hon. Friend. Sir, I must say that, after the discussion of this evening, my hon. Friend will be ill-advised in accepting the bargain of the right hon. Gentleman; and I must also say that the impression left on my mind by the speech of the right hon. Gentleman was that, in his view, a Resolution of an abstract character did not require that legislation should be proposed by Government; but still, that the present Resolution had placed before them something which they could not altogether pass over, and which might probably act as a stimulant and inducement for them to bring forward some legislation at a future time. But I am certain that if my hon. Friend, acting upon the inducements which have been held out to him, should withdraw this Resolution, no legislation whatever will take place; and for that reason I think he should not accept the compromise offered, and that he ought to ask the House to express its opinion upon his Resolution.

THE CHANCELLOR OF THE EXCHEQUER: Sir, after the course which the discussion has taken, I think there can be no doubt that it would be in accordance with the feeling of the House that the Government should accept the Resolution of the hon. Member for Reading. At the same time, I wish to say one or two words by way of caution with regard to the inferences which may be drawn from our acceptance of the Resolution in the terms in which it has been moved, and with the explanation of it which has been given by the hon. Member who proposes it. I wish, in the first place, to observe that in making one or two remarks upon the way in which the clauses of the Act of 1870 have been administered, I do so partly because I am connected with a Department which, as the House has been reminded, takes a great share in the administration of the particular clauses to which reference has been made—I mean the Treasury, under whose direction the Board of Trade in Ireland carries on these operations. I wish to point out that we are all agreed upon the main object in view, which is to bring about an improvement and a state of contentment amongst the agricultural population of Ireland. We cannot but feel that the hon. and learned Member for Ipswich (Mr. Bulwer) has given us a description of a state of things existing in that country which it ought to be our object to cure. It is but too true that amongst the agricultural class in Ireland there is a great deal of distress—a condition of things which we desire to improve and to remedy. The question is, in what way can our object be effected; how can this state of things be remedied? One method which has been tried was one to enable small tenants to become owners of land; and we are honestly desirous, notwithstanding that some of us take one view and some another of the exact improvement and the particular remedy required, to give a full and fair trial to the clauses of the Act passed in the year 1870. I am also sorry to say that those clauses, though administered in a perfectly fair spirit, have not as yet produced so great an effect as they were expected to produce. It is, therefore, reasonable and proper that we should look about to discover, if possible, some means of bringing them into fuller operation. But you cannot expect in a period of eight years a sudden transformation—a complete change—in a system which has been the growth of centuries. It has been truly said that in the case of the Church Commission the improvement has worked extremely well; but that work has been done under peculiar circumstances. It has been done by gentlemen whose object was to dispose of a large quantity of land in a short space of time, and who were influenced by considerations of a somewhat different kind from those which act upon gentlemen of property who, when they are disposed to sell, have a right to get the full value of their land. In fact, the hon. Member for Reading has admitted this, and makes it part of his case, explaining how estates may be sub-divided with a view to facilitate their sale, and recommending the proposal suggested to the Committee by Mr. Vernon. I think there is, no doubt, a great deal of ingenuity in that proposal. On the other hand, I think it is one which requires serious consideration, and to which, for my own part, as at present advised, I feel a very strong objection. But I will not trouble the House with stating my reasons for that objection at this moment. Such is the remedy proposed by the hon. Member for Reading, who says it is the cardinal point of the whole case. I am afraid that if we accept this Resolution, which is of a general and vague character, with the interpretation placed upon it by the Mover that the only way of dealing with the question is that which he has mentioned, we shall be held to be accepting the plan so much spoken of to-night. But I say, on the part of the Government, in accepting the Resolution, we wish distinctly to guard ourselves from being supposed in any shape, form, or degree, to accept the principle which it contains. I do not, however, say that something of the sort might not be considered. I admit, from the Treasury point of view, there are a good many difficulties of detail which stand in the way of the full operation of this Act; and it has been suggested that in some respects the Act should be amended, so as to facilitate its working by getting rid of those difficulties. With regard to the reference which has been made to the Board of Works, we have stated already, in the course of the Session, that its constitution must be somewhat revised; and it will be desirable, in making such revision, to provide for so strengthening the Board as to give facilities for the discharge of its duty in connection with the working of these clauses. In guarding ourselves against the principle contained in the Resolution, we do not, at the same time, accept it as an idle form; but we accept the Resolution with the intention at present in our minds of making, as soon as may be convenient, a proposal which shall, at all events, facilitate the working of these clauses. With regard to the words "without further delay," which have been subsequently introduced into the Resolution, it may be supposed that these words mean that we must lay aside all other measures in order to deal with the present one. But it must be remembered that there are a great many measures, some already on the Table, and others actually promised; besides which, we do not get on with our Business as fast as we could wish, having to spend a day or two of each week in discussing Votes of Censure. Nevertheless, I do not at all abandon the idea that even before the close of the Session we may be able to make some proposal which may advance the object of the Motion. Under these circumstances, I should have been glad if we had not been called upon to place this Resolution upon our Minutes. We certainly do not wish to divide the House against the Resolution.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put.

Resolved, That, in view of the importance of a considerable addition to the number of owners of land in Ireland among the class of persons cultivating its soil, it is expedient that legislation should be adopted, without further delay, for increasing the facilities proposed with this object by the Irish Land Act, 1870, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the owners thereof.

VALUATION OF PROPERTY BILL.

(*Mr. Chancellor of the Exchequer, Mr. Sclater-Booth, Mr. Salt.*)

[BILL 71.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will, upon Tuesday next, at Two of the clock, resolve itself into the said Committee."—(*Sir Henry Selwin-Ibbetson.*)

MR. DILLWYN said, it was unfair to begin Morning Sittings at that period of the Session, which he pointed out to the House was a much earlier one than usual. He remembered that last year they had Morning Sittings early; but then they were taken for the sake of enabling the House to rise before Easter, as well as to vote certain sums of money. There was last year one Morning Sitting, on the 17th of May, and at 9 o'clock the House was counted out. He believed the right hon. Gentleman the Chancellor of the Exchequer on the 18th of June proposed that the ordinary Morning Sittings should be taken for the rest of the Session; and if he (Mr. Dillwyn) remembered rightly, he had stated that the usual time for commencing Morning Sittings was the 12th of June. Certainly, he did not think it fair to begin to take the Members' days so early in the Session as was now proposed, especially as no pressing reason had been shown for so doing. If, however, the case was an exceptional one, and only applied to a particular day which hon. Members might be disposed to give up, his objection might be modified; but he would like to know whether it was the intention of the Chancellor of the Exchequer to take Morning Sittings regularly from that time forward, or whether the proposal with regard to Tuesday next was to be an exceptional one only? He had not, of course, the slightest wish to put any obstruction in the way of the Business which the Chancellor of the Exchequer wished to get through; but he could not help saying that the Government were commencing Morning Sittings, as far as he could see, six weeks in advance of the date at which they began last year, notwithstanding that a good deal of Supply had been got through, and that the reasons which were put forward last year for Morning Sittings at an unusually early period did not now exist. He therefore thought it right to oppose the Motion by moving that the words "at Two of the clock" be left out.

Amendment proposed, to leave out the words "at Two of the clock."—(*Mr. Dillwyn.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR HENRY SELWIN-IBBETSON said, he hoped that the House would see that in asking for a Morning Sitting on Tuesday next, for the purpose of taking the Valuation of Property Bill, the Government were only doing what was necessary. He could not admit that the hon. Member for Swansea (Mr. Dillwyn) was accurate in his statement that they were doing a very unusual thing in so doing; because he found that in 1875 there were four Morning Sittings taken before the Witsuntide Holidays—namely, on the 15th of March, the 30th of April, the 4th of May, and the 11th of May. And, again in 1878, there were several occasions earlier than those mentioned by the hon. Member, on which Morning Sittings were held—namely, the 19th of March, the 26th of March, the 29th of March, the 12th of April, the 16th of April; after which came the Sitting of the 17th of May referred to by the hon. Member, on which occasion the House was counted out in the evening. The Business of the day was, on the 19th of March, the Indian Press Law; on the 26th of March the Mutiny Bill; on the 29th of March a discussion was raised on Supply; on the 12th of April the Report of Ways and Means; and the 16th of April was devoted to purposes for enabling the House to rise before Easter. The hon. Member had stated that the Government were exceedingly forward as regarded Supply; but on that point, he (Sir Henry Selwin-Ibbetson) would remind the House, that the hon. Member in particular, and many others, had urged upon the Government the necessity of bringing on Supply at an early period of the year. The argument, therefore, in his opinion, could not be fairly used against the Government. The Motion relating to the Valuation of Property Bill had been upon the Paper for a very considerable time; and it was, therefore, only convenient to hon. Members who might be anxious to take part in the discussion that some particular day should be fixed. Under these circumstances, the Chancellor of the Exchequer gave an assurance to those Members interested that the Bill should be made the first Order of the Day on Tuesday next. The Government did not purpose to commence regular Morning Sittings at that period of the Session, as a rule. He asked the House to accept the proposal of the Government on this occasion, to devote a Morning Sitting on Tuesday next to the consideration of the Bill.

MR. HERSCHELL said, he had no wish to put any desire of his own against the purposes of the Government. He trusted, however, that they would secure for him an opportunity of bringing on his Motion, with respect to Breach of Promise, in a way that would prevent discussion being cut short, as was, unfortunately, too often the case.

Mr. E. JENKINS suggested that Her Majesty's Government wished to kill all the Members of the Opposition by commencing Morning Sittings so early as the 6th of May. He thought, at any rate, that it had been clearly established by the hon. Member for Swansea (Mr. Dillwyn) that the course proposed was a serious infringement of the rights of hon. Members; and he trusted that some steps should be taken by which it might be prevented. Many hon. Members besides himself had remained in the House until 2 o'clock in the morning, in order to assist the Government in carrying out their measures, and he thought that deserved a different return.

Mr. SCLATER-BOOTH said, that many hon. Members were really anxious to make progress with the measure, and it was absolutely necessary to fix a day for the committal of the Bill. He thought the Government had a claim upon the House in bringing forward the Motion.

Mr. P. A. TAYLOR said, the Government could, of course, command the House in the evening; and he therefore suggested that if they were to meet for an early Sitting on Tuesday, the private Members should take the Morning and the Government the Evening Sitting.

Mr. DILLWYN thought the last suggestion a very reasonable one, although he feared Her Majesty's Government would not agree to it. However, as he always wished to facilitate the Business of the House, he was disposed to give way; his only reason for making the Motion being his fear that if the proposal of the Government were allowed to pass without a protest, it would be the commencement of a system of taking Members' days and using them for Morning Sittings. But, on the distinct understanding that the Government would assist private Members in getting the House on Tuesday at 9 o'clock, and that the present case was exceptional, and was not to be the commencement of early Sittings at that period of the Session, he begged leave to withdraw his Motion.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Committee *deferred* till *Tuesday* next, at Two of the clock.

Mr. Herschell

GAME LAWS AMENDMENT (SCOTLAND) BILL—[Bill 143.]

(*The Lord Advocate, Mr. Secretary Cross.*)

SECOND READING.

Order for Second Reading read.

Mr. P. A. TAYLOR said, the House was entitled to an explanation with regard to this Bill. There was nothing in the civilized world which would compare with the atrocious character of the Game Law Act of George IV., under which, if three or more men went out to poach rabbits, they were guilty of a misdemeanour, and liable to imprisonment with hard labour; but who, if they happened to be armed, were liable to seven years' transportation. He could not understand the manner in which the Sheriff was to have power to mitigate the penalties; but, however that might be, he asked why that mitigation was not to be extended to England?

The LORD ADVOCATE said, that the mitigation proposed by the present Bill had been brought about by the conviction and consequent incarceration of a farmer in Scotland, who had gone out to lay a snare at night for a rabbit in a roadside hedge, close to the boundary of his own farm. The Home Secretary, thinking that the Night Poaching Act was too severe in its operation in that particular case, liberated him from prison; and this Bill was introduced with the object of providing that if any person guilty of such a petty offence by night could establish, to the satisfaction of the Judge before whom he might be brought, the fact that he was, at the time the offence was committed, unarmed, and without any intent to commit violence, the Judge should be entitled to inflict the same penalty as if the offence had been committed in the daytime. That was not a mitigation of the Act in the sense represented by the hon. Member.

Mr. MUNDELLA pointed out that the learned Lord Advocate had not answered the question of the hon. Member for Leicester (Mr. P. A. Taylor) as to why the Bill, which was in mitigation of the Night Poaching Act, should not be extended to England, and why it should be limited to Scotland? If the House allowed it to be read a second time, it should be upon the understanding that the Government should extend its application. Why should poaching at night without arms be in England an act of an entirely different kind to what it was in Scotland?

The LORD ADVOCATE: Of course, I shall communicate to the proper quarter, and in the proper form, the observations which have been made upon this subject.

Mr. J. W. BARCLAY said, that the feature in the existing law which authorized a conviction upon the evidence of one witness was strongly objectionable, inasmuch as there was reason to believe that it offered undue temptation to gamekeepers interested in procuring a conviction.

Bill read a second time, and *committed* for *Monday* next.

MARRIAGES CONFIRMATION (HER MAJESTY'S SHIPS) BILL—[Bill 149.]

(*Mr. Algernon Egerton, Mr. William Henry Smith, Sir Massey Lopes, Mr. Staveley Hill.*)

SECOND READING.

Order for Second Reading read.

Mr. DILLWYN said, he was one of those who thought that it ought to be a Standing Rule of the House that no Bill should be read a second time which had not been printed. He remembered a case in which a Bill introduced in this way had been read a second time, and which, having been sent to the House of Lords, had been the cause of considerable difficulty.

Mr. A. F. EGERTON replied, that he had seen the Bill in print, and that it would be circulated on Monday.

Second Reading *deferred* till *Monday* next.

INTOXICATING LIQUORS (IRELAND) BILL—[Bill 32.]

(*Mr. Sullivan, Mr. Dease, Mr. Meldon, Mr. Whitworth.*)

SECOND READING. [ADJOURNED DEBATE.]

Mr. CALLAN rose to make a personal explanation. It had been stated in *The Central News Letter*, which was generally understood to be inspired by the hon. and learned Member for Louth (Mr. Sullivan)——

Mr. SPEAKER, interposing, reminded the hon. Member that he was out of Order in reading a newspaper comment upon the proceedings of the House.

Mr. CALLAN had only taken the opportunity of stating that he had been accused of the intention to talk out the Bill on Wednesday afternoon, and had been put up to that course by a spirited phalanx that opposed the Bill. He was at the time anxious for a Division. He gave the statement an unqualified denial, and expressed his surprise that the opponents of the Bill should endeavour to create popularity by making such unfounded statements.

Adjourned Debate on Amendment on Second Reading [30th April] *further adjourned* till *Friday* 16th May.

LOCAL GOVERNMENT PROVISIONAL ORDERS (ASPULL, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Aspull, the Boroughs of Birmingham and Burnley, the Rural Sanitary District of the Chard Union, the Improvement Act District of Chiswick, the Local Government District of Keighley, the Borough of Kingston upon Hull, the City of Lichfield, the Improvement Act District of Ramsgate, the Local Government District of Skelton, the Boroughs of Swansea and Southampton, the Improvement Act District of Wellington (Salop), and the Local Government Districts of Widnes and Worthing, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 151.]

House adjourned at half after One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 5th May, 1879.

MINUTES.]—*Sat First in Parliament*—The Lord Dinevor, after the death of his father.

Public Bills—*Second Reading*—Omnibus Regulation (41); Railways and Telegraphs in India * (63).

Third Reading — Rivers Conservancy * (67); Petty Customs (Scotland) Abolition Act Amendment * (33), and *passed.*

TREATY OF BERLIN—PERFORMANCE.

QUESTION. OBSERVATIONS.

Earl GRANVILLE: I rise to ask the noble Marquess the Secretary of State for Foreign Affairs a Question of which I have given him private Notice. It is, Whether he can state at what time he will lay Papers before the House, or make a statement to explain the progress which has been made in carrying out the provisions of the Treaty of Berlin? The day before yesterday, the 3rd of May, was the date on which, by the Treaty, Roumania, Bulgaria, and Eastern Roumelia were to be evacuated by the Russian troops, and, therefore, marks an important epoch, as this evacuation, possibly for sufficient cause, has not been accomplished. We do not know of any reforms in the Greek Provinces, or of the rectification of the Turco-Greek Frontier, or of the reforms promised in Armenia, or of the completion of the work of the various Frontier Commissioners. It is true that Papers have recently been laid on the Table of the House; but they only come down to February of this year, and these were distributed simultaneously with Nos. 53 and 54 of 1878, and there were at the same time distributed Cretan Papers up to February this year. It is not a satisfactory way of giving information to Parliament to allow these Papers to accumulate in the Foreign Office, and then discharge them in masses of 900 pages upon the House; more particularly when, as in this case, they do not throw the slightest light on the subjects which have been exciting the attention of the public of Europe during the last three months. The noble Marquess and the Merchant Taylors will, of course, think that I am only actuated by such base motives as the noble Marquess does not think it unbecoming in a Minister of State to ascribe to all who, at the moment, differ from him in their political views; but I trust that your Lordships, and even the noble Marquess's Colleagues, will not consider it unreasonable for me to ask at what time we may expect to have some information on a subject about which we are all anxious.

The Marquess of SALISBURY: My Lords, I received this morning a Notice from the noble Earl that he proposed to ask me this Question—namely, when I would make a statement as to the negotiations in progress for carrying out the Provisions of the Treaty? It does not seem at all an unreasonable Question, and it appears to me that I may as well make a statement on the subject now. I am afraid I shall have to ask the indulgence of your Lordships for a few minutes. I have brought the Treaty with me, and I propose to point out with respect to each division of it what has been done and what is the present condition of affairs. The first part of the Treaty provides that Bulgaria shall be an autonomous Principality; shall have a Christian Government and National Militia; that the Prince shall be freely elected by the population; that his election shall be confirmed by the Porte with the assent of the Powers; and that there shall be an Assembly of Notables convoked at Tirnova before the election of the Prince to determine the Constitution of the Principality. With regard to that part of the Treaty, I have to say that all these things have been done. A Prince has been elected—I believe a very good choice—by the people of Bulgaria, and this choice has been freely assented to by all the Powers; and the Constitution of the Principality has been voted by the Chamber. The next part of the Treaty determines the Boundaries of Bulgaria. This is rather a larger business. A Commission has been appointed under the Treaty, which devoted itself for the remaining part of the working season of last year, and has now re-commenced its labours for determining the Boundaries of the Principality. There was some delay and difficulty caused last year owing to the circumstance that, according to ordinary International practice, every decision had to be taken by the unanimity of the Commissioners. I am happy to say that during the present year we have avoided the possibility of any such difficulty, for all the Powers have agreed that all points of controversy that may arise shall be determined by the majority. There has been considerable discussion on a Proviso at the end of the 2nd Article of the Treaty, which says that the Delimitation Commission shall take into consideration the necessity for the Sultan to be able to defend the Balkan Frontiers of Eastern Roumelia. I think it was poor Mehemet Ali who proposed that that should be done—or, at least, he desired it should be done—by drawing a line considerably in advance of the Balkans on the Northern side; but to this mode of solving the difficulty the Powers were generally opposed; and now it has been decided that, as a rule, the watershed shall be taken, but that in all places where that does not seem sufficient to furnish Turkey with the ground necessary for the raising of works of defence, the watershed shall be overstepped and ground taken on the other side. In what cases this shall be done is to be determined by the majority of the Commission. Then, as in the case of all the Principalities, provision has been made in the Treaty for the maintenance of religious liberty in Bulgaria; and that has been scrupulously carried out. It is further provided that the provisional *régime* is not to last beyond the installation of a Prince, and not to last beyond nine months from the exchange of the ratification of the Treaty. In this respect the Treaty has been faithfully observed. The tribute which that Principality is to pay to the Porte is a matter which, by the Treaty, is to be determined at the close of the first year after the re-organization of the Principality; the time has not yet arrived when that can be carried into effect. There is another provision with regard to Bulgaria which I ought not to pass over—namely, that which provides for the razing of the fortifications by the local Government within one year of the ratification of the Treaty; but though a large portion of the year has elapsed, I believe that the provision has not been carried into effect. I have no precise knowledge on the point, but I do not think that much progress has been made in razing the fortifications, and it is a matter which may have to engage the attention of the Powers; but obviously, until the year has elapsed, it is not a point that can be diplomatically raised.

The next part of the Treaty is that which deals with the much-discussed question of Eastern Roumelia. A Commission has been appointed to carry out its delimitation. The other Articles with respect to that Province provide that a Governor General shall be named by the Porte with the assent of all the Powers, and that he shall hold office for five years. A Governor General has been named by the Porte, and his nomination has been assented to by the Powers. Aleko Pasha—not from any suggestion by us—was freely selected by the Porte as being a Christian; and as being also, from his race and previous associations, likely to be satisfactory to the people whom he was to govern. I have every reason to believe that the nomination will be a satisfactory one to the people of Eastern Roumelia, and the Porte may be trusted to have selected a man who will support its own interests in that Province. Immediately after the ratification of the Treaty a European Commission was formed to elaborate, in accord with the Ottoman Porte, the organization of Eastern Roumelia. That Commission met. The Representatives of England were two Members of Parliament, one a Member of the other House, Sir Henry Drummond Wolff, and the other a Member of your Lordships' House, Lord Donoughmore; and, my Lords, I cannot pass over their names without paying a tribute to the energy and ability with which they have accomplished a most difficult task. They have conducted their labours to a successful issue, though all the decisions had to be taken under what seemed at first sight an almost impossible condition; but still the matter has been brought to a satisfactory conclusion, and the Statute of the Commission now awaits the sanction of the Sultan. That sanction is a formal matter which will be given under the Treaty by an Imperial Firman. I am bound to say that in one respect the Treaty was too sanguine. It laid down that the Commission should finish its work in three months; but there is one thing which even Treaties cannot do, and that is to make deliberative bodies move faster than they can: and, instead of three, the work lasted nine months. However, that is now finished. Article 15 provides that there shall be a native gendarmerie and local militia maintained in Eastern Roumelia; that the officers shall be nominated by the Sultan; and that the religion of the inhabitants shall be respected. These are matters which are provided for in the Statute of the European Commission to which I have already referred. The European Commission, I should say in passing, is also charged by the 19th Article to administer, in concert with the Sublime Porte, the finances of the Province until the completion of the new organization. This task the Commission accordingly undertook, and Lord Donoughmore was one of the sub-Committee to whom the finances of the Province were intrusted. It is a provisional matter, and it has now passed by.

Speaking literally and technically, the Treaty has been fulfilled; but, undoubtedly, there were delays against which the Commissioners had repeatedly to protest —delays arising probably from the want of that accuracy in accounts to which European statesmen are accustomed. Then comes the question of the Russian occupation, to which the noble Earl refers, and which is provided for by Article 22. Now, I confess that I do not read that Article in the same manner as the noble Earl. I understood him to say that under that Article the Russians were bound to have withdrawn all their troops out of the Principality and the Province by the 3rd of May. What the Article does say is this—The Corps of Occupation shall be composed of six divisions of Infantry, two of Cavalry, and shall not exceed 50,000 men; and the period of occupation is fixed at nine months from the date of the exchange of the rectification of the Treaty. If evacuation had commenced before the end of the nine months, these Infantry and Cavalry divisions must have been materially diminished, and it is obvious that in that case the provisions of the Treaty would not have been complied with. What the Treaty contemplates is that up to the end of the nine months the Army of Occupation should remain undiminished. Up to the close of the nine months the occupation is to remain in all its entirety; from that date the evacuation is to commence, and is to be carried on, of course, with all reasonable despatch. The occupation authorized by the Treaty is to cease on the 3rd of May, and by the 3rd of August there are to be no troops of the Army of Occupation left on the South or West of the Pruth. That is what I understand to be the provision of the Treaty. Up to this time I have no occasion to believe that the Treaty will not be scrupulously observed in that reading of it, which I believe to be the right one. It is impossible, without a much larger staff of Consuls than we possess, to give accurate information as to the precise movements or numbers of the occupying force; but I have known for some time past of the movements in Bulgaria, and the evacuation has not only commenced, but it is proceeding. The 23rd Article contains an engagement for providing the Island of Crete with an organic Constitution, taking that of 1868 as a basis of the proposed modifications. Well, my Lords, that has been done. The Cretan Constitution has been revised in a highly liberal sense. Certainly I think that at the time when this Constitution was passed the inhabitants of the Island not only had reason to be, but were, satisfied with what had been done. I think, on the whole, that under the guidance of the Turkish official whose duty it is to see the Constitution carried out, although I have heard that some disturbances have since broken out in the mountains, a period of tranquillity in the Island has commenced. Then the Article goes on to say that analogous Constitutions, adapted to local requirements, may be introduced into other parts of European Turkey, for which no provision has been made, and the Sublime Porte is to depute separate Commissions for this purpose. But the revision of the Cretan Constitution only received its final sanction in January, and, therefore, the Porte has not been able to arrange for analogous Constitutions; and, consequently, I cannot say that, though these special Commissions have not been set on foot, there has been any breach of the Treaty in this respect. What I believe that the Turkish Government intends is, to use the Constitution elaborated for Eastern Roumelia by the European Commission, as in a great degree a model for these new Constitutions proposed to be provided for the other European Provinces; and I think, if sufficient elasticity be given and no attempt at too hard an identity for all the Provinces of the Empire be insisted upon, this idea is a good one, and I trust the Porte will be enabled to carry it out. This intention naturally explains why no further steps have been carried out; because the Report of the International Commission has only been placed in the Sultan's hands within a few weeks. Article 24 says that in case the Sublime Porte and Greece shall not succeed in coming to an understanding on the rectification of the Frontier indicated in the 13th Protocol of the Congress of Berlin, then the six Great Powers reserve to themselves the liberty of offering their mediation to the two parties for the purpose of facilitating negotiations. The Article is in progress of execution. The French Government has made a proposal to the Powers on this subject of mediation, and I believe that all the Powers have accepted that proposal.

Then the Treaty provides that the Provinces of Bosnia and Herzegovina are to be occupied and administered by Austria-Hungary; and I need hardly say that the provision has been fulfilled. With regard to Montenegro, there was for a considerable period some doubt whether that part of the Treaty would be carried into effect. It is very easy for the Porte to say it has ceded certain districts to another Power; but if the inhabitants of those districts are martial and the country is mountainous, and, as far as military operations are concerned, is of an impracticable character, it does not depend entirely on the will of the Porte whether that part of the Treaty is to be carried out. Considering the terrible examples which had been given of what the population were capable, there was at one time sufficient cause for apprehension in the minds of many persons. Your Lordships are, however, aware that Montenegro is now in possession of all the territory that she is entitled to by the Treaty of Berlin. With regard to Servia and Roumania, I need say but little, because no great points of difficulty have arisen. The delimitation required a survey, and that necessarily occupied time. With respect to Roumania, the question as to the fortress of Arab-Tabia remains unsettled. I see no grounds for believing that there will be any great difficulty in the delimitation of Servia. There is every reason to anticipate the settlement in respect of these two Principalities of a question of some interest, though not concerned with the Eastern Question properly so called. The Congress of Berlin determined that religious liberty, to its fullest extent, should be granted by all the Principalities on which it could impose that condition before their independence should be fully recognized. In Servia, I believe, satisfactory arrangements have been made; and, though a decision has not been absolutely arrived at, the matter had gone far enough to justify the four Western Powers in recognizing the independence of the Principality itself. In Roumania the case is different. The three conterminous Powers, probably considering their interests more important than merely speculative difficulties, immediately recognized the independence of Roumania; but the four Western Powers—England, France, Germany, and Italy—have not yet done so. We have, however, every reason to hope that before long assurances will be given to us that may justify our believing that the Treaty in this respect will be fully and faithfully carried out; and it will be with great satisfaction that we shall welcome Roumania among independent States. With respect to the cessions in Asia, I can say that the part of the line which was to be drawn by agreement between Russia and Turkey has been drawn already, by an agreement come to by Count Schouvaloff and myself at the Congress. It was no part of the Treaty, but it has been printed with it. It was arranged that an English Commissioner should take part in the delimitation of the Southern part of the Boundary. Delimitation has now been commenced, and will, I have no doubt, be carried on with the greatest possible speed. By Article 59, the Czar of Russia declared that henceforth Batoum was to be a free and essentially commercial port. It has certainly been made a free port, but to be an essentially commercial port it must have commerce; and, so far as I know, that result has not yet been obtained. By the 61st Article, the Sublime Porte enters into an engagement with respect to the reforms in these Provinces inhabited by the Armenians.

EARL GRANVILLE: What reforms?

THE MARQUESS OF SALISBURY: You must construe it according to the usual meaning of the word. A Commission has been sent into Asia. No doubt, the noble Earl will admit that before reforms are introduced it is better to ascertain what the local needs are, and the local means; and to ascertain these the Porte has issued a Commission, which is now on the spot, to inquire into the question. But until the finance of the Porte is brought to a more satisfactory state, we cannot expect any *bonâ fide* reform. We know well in this country that there is nothing that costs money like administrative reform; and if there is to be reform in Turkey, I am afraid that its Rulers will not escape the conditions which attach to it in a civilized nation like our own. Certainly, an essential preliminary to reforms is the establishment of such gendarmerie as will give security for life and property; and in order to secure efficiency, so that it will not use its power to plunder or murder those whom it ought to protect, you must pay it well, and in order to pay it well, you must have money to pay it with. The 72nd Article simply consecrates those principles of religious liberty already imported into the Turkish Code; and, as far as our information goes, we have not heard of any Turkish authority who has shown the slightest indication of an intention to disregard the provisions of the Treaty in that respect. Now, my Lords, I have gone through the Treaty of Berlin, section by section, and, so far as I can see, the stipulations with have been entered into between Turkey and the Powers have been, up to this time, scrupulously performed.

SUNDAY (OPENING OF MUSEUMS, &c.)

RESOLUTION.

LORD THURLOW rose to call the attention of the House and the Government to a Petition again addressed by working men to Parliament this Session, praying

> "For the opening of the British Museum, the South Kensington and Bethnal Green Museums, and the National Gallery on Sunday afternoons."

He must crave their Lordships' indulgence for a few moments while he explained the scope of his present Motion, and the grounds on which it rested. In the first place, he desired to state that the Petition praying for the opening on Sunday afternoons, free to the public, of the Bethnal Green, the British, and South Kensington Museums, and the National Gallery, emanated from one only of several Societies now existing in London for promoting this object. There was, for example, the well-known Sunday Society, established in 1875, which had been presided over last year by a noble Earl (the Earl of Rosebery), and which was to be presided over this year by a most distinguished commoner, Sir Henry Thompson. He noticed this Society first in order to point to its rapid progress in proof of the advance this cause had made of recent years. On the roll of its Vice-Presidents they would find the names of many Members of both Houses of Parliament; of some of the most eminent surgeons and physicians of the day, who were certainly well qualified to form their own opinion on the matter—at any rate, from one point of view—of eminent writers of science and morality, like Huxley, Lecky, and Tyndall; of eminent divines of rival Creeds, like Monsignor Capel and the Dean of Westminster; the newly-elected President of the Royal Academy, bankers, large employers of labour—in fact, representative men of all classes and professions; forming, altogether, an array of learning and philanthropy which it was impossible to gainsay. Well, this, the Sunday Society, was an offshoot of an older Society that first acquired prominence in 1829 in the action taken by Mr. William Lovett, who drew up a Petition that was signed by several thousands and presented to Parliament by Mr. Joseph Hume. This was the Society that presented the present Petition, and it was the one that presented the Petition to which he ventured to call their Lordships' attention last year, and to which the noble and learned Earl on the Woolsack (Earl Cairns) objected, being signed by only one name, the President of the Society. It was, therefore, not impossible that the noble and learned Earl might object to the present Petition as only signed by two names, the Chairman and the Secretary of the Society. But he (Lord Thurlow) desired to explain that the preparation and presentation of these Petitions of late years had only been for the purpose of formally protesting in each Session of Parliament against the inaction of the authorities. Larger Petitions, with many thousands of signatures, had been presented in former years, and had been equally disregarded—so far, at least, as any action in London was concerned, although it might be that to them had been due the action taken by the former Governments in Dublin, Hampton Court, and Kew. Some years ago, for instance, a Petition was presented signed by 200 clergymen, mostly of the Church of England, praying for Sunday opening of National Libraries and Museums, and he would tell their Lordships some of the names he found attached to that Petition, because he thought they were the names of people who knew what they were about — The Rev. Septimus Hansard, rector of Bethnal Green; the Rev. William Rogers, rector of Bishopsgate; the vicars of St. Mary's, Soho; of St. Peter's, Bayswater; of St. George's, Kensington; the incumbent of St. John's, Holborn; then they found the great name of Charles Kingsley; and the rectors of St. Luke's, of Chelsea, and many more London rectors, vicars, incumbents, and curates, too numerous to mention. Then he had a Petition of the journeymen tailors of London, signed almost to a man; and a Memorial to Her Majesty the Queen by 943 gentlemen of literature, science, and art, for the same object. Well, let them see who signed this Memorial in 1860 — Sir James Herschell, Sir John Burgoyne, Sir Edwin Landseer, Gibson the sculptor, Cooper the artist, Mulready, John Sheepshanks, Foley the sculptor, Mr. Henry Cole, Norman Macleod; Tom Taylor, secretary, and John Simon, medical officer of the General Board of Health, Thomas Graham, Master of the Mint, and names, familiar as household words, like Richard Owen, Charles Dickens, Lyon Playfair, Wheatstone, Vaughan, Glaisher, Lyall, and hundreds of the wisest and most distinguished men of the day. Then he could give a list of 60 Metropolitan Trade Societies who memorialized Her Majesty's Government in 1860—carpenters, printers, carvers and gilders, bootmakers, basketmakers, goldsmiths, plumbers, masons, smiths, weavers, dyers, and so on. In 1869 over 68,000 persons petitioned Parliament on this subject, and most of them had heard of the 25,000 artizans who walked in orderly procession on Sunday, the 7th of May, 1876, and knocked at the doors of the British Museum and National Gallery. So that he thought he might with confidence say that if the noble and learned Earl would only state how many Petitions he required, and how many signatures attached to each, to convince him that this was a question on which the working classes felt deeply and were in earnest, it would be an easy matter to satisfy him. There were, however, two other points in the reply of the noble and learned Earl on the Woolsack to his Question of last year to which he desired to refer. The noble and learned Earl said he thought that the Petition of 1856 had only about 5,000 signatures. Now, his information was that it had about 24,000 signatures; and although it was quite true, as the noble and learned Earl very properly pointed out, that a counter-Petition more numerously signed was presented at the same time, still this was only half the case, for the noble and learned Earl did not tell their Lordships, what it was important to know, and what was pointed out at the time in the other House of Parliament by a noble Earl now on the Cross Benches (the Earl of Derby), that—

> "It must be borne in mind that whereas the Petition for the opening was only signed by inhabitants of London, the counter-Petition was the result of a thoroughly well-organized agitation of the Sabbatarian party over the whole area of England;"

And this he thought was an important factor in the consideration of the relative value of these two Petitions. In the second place, the noble and learned Earl on the Woolsack stated that, considering the allegation that this was a working man's question, it was remarkable that some of the leading opposition in the other House of Parliament to Sunday opening emanated from Members representing what might be called working-class constituencies, and he specially mentioned Leicester, Southwark, and Newcastle-on-Tyne; but here, again, he was bound to say that his information did not quite tally with that of the noble and learned Earl, for he had examined the Division List of 1874, and there he found voting for the measure the name of Mr. P. A. Taylor, the hon. Member for Leicester; and also the names of the Members for the following working-class constituencies:—Macclesfield, Middlesborough, Scarborough, Huddersfield, Bury, Blackburn, Barnstaple, Rochester, Stafford, Morpeth, Rochdale, Carlisle, Sheffield, Derby, York, Glasgow, Liverpool, Birmingham, Southwark, Hackney, Chelsea, and many more seats of labour and centres of industry of the very greatest importance, and where they would naturally expect to find the constituents taking a lively interest in the question. And a glance at the Division List of 1874 revealed another name, which he would mention because he thought it would carry weight with their Lordships. He referred to the name of the late Sir William Stirling Maxwell. Now, he was the Conservative Member for the important County of Perth, a man of large possessions and of very great intelligence, and, moreover, he believed, a Trustee of the British Museum. When they found a man like that voting for Sunday opening, and considered that Scotchmen were not prone to Sunday opening, he thought they could only conclude that he did so as the result of strong personal conviction of the necessity of the measure. But he did not seek to rest this thing mainly on the foundation of Petitions or of Division Lists. He sought to rest it on the unanimous verdict of all thinking men who approached the question with impartiality. He (Lord Thurlow) looked at the growing evil of intemperance. He looked at the happiness and contentment of the people. He looked at the art education of the masses. He asked himself what could a working man do with his time on an inclement Sunday afternoon in London? On all sides of him, and at nearly all the corners of nearly all the streets, certain creature comforts were held out to him:—Warmth, shelter, society, and such selfish and transient enjoyment as could be derived from drink; and he desired to draw the picture of a working man in such a place—he meant, of course, a public-house—in the evening, before returning to his family, gloomily contemplating the bottom of his empty glass and his empty breeches pockets, and to contrast that with the picture of another working man who had spent his Sunday afternoon in wandering through the well-warmed galleries of the British Museum or South Kensington, and in the contemplation of the grandest works of God and man. In the former—especially in its geological and natural history sections—he would find the whole story of the Creation and the Old Testament profusely illustrated; in the latter, he would derive the gratification of being brought face to face with the most beautiful productions of every age and race, in every variety of form, colour, and handicraftship. He would not dwell on the home-going of the first—it was too easily imagined, and might be found in the police reports of the newspapers on any Monday morning, with all its hideous accompaniments of wife-kicking and other brutalities. Let them rather go home with the second, his mind relaxed by new ideas and pleasant images, his shillings and sixpences still in his pockets; and, he asked, who would dare to prefer the home-going of the first, or venture to contemplate without anxiety the influence on society of hundreds of thousands of such home-goings on every inclement Sunday evening in London as at present, and who would then refuse to lend a helping hand to the cause of Sunday reform? But he thought he heard some one say—"Beware of the thin end of the wedge—if you open museums and libraries and national galleries on Sunday, you will inevitably drift into music-halls, theatres, and the like." He asked why? Was there any likeness between national institutions, open free, and places of private enterprize, opened by greedy individuals for the sole purpose of making money? The one saved the workman pounds, shillings, and pence; the other took them—aye, to the uttermost farthing if it could. Besides, the thin end of the wedge was a much-abused argument, and opposed to all progress, and, moreover, could not be held to apply; for if this wedge had a thin edge, it was introduced by former Governments years ago in Dublin, Hampton Court, and Kew, and he asked boldly with what results? This was no new or revolutionary idea that he urged. He only urged the application to London of an old and eminently Conservative idea, which had been found to succeed beyond anticipation, and which had been solicited by the working classes of London themselves for years with a patience, a forbearance, a regard for Constitutional usage, and an absence of anything like passionate agitation that did them the very highest credit, and entitled them and their cause to every consideration and respect. He desired to correct a statement he made last year in this House, when he said that he thought a certain amount of opposition to Sunday opening might be looked for from the custodians and guardians of these repositories of art and learning, whose Sunday afternoon hours of leisure would be thereby curtailed. He now knew that that remark was as unjust as it was untrue, for he had since received numerous spontaneous communications from these custodians, from the highest to the lowest, all expressing their willingness to volunteer for Sunday labour, and all expressing their conviction of the benefits that would accrue, and he thought their Lordships would agree that this feeling did them very great honour. Experience taught that Sunday afternoon was the only time that suited these classes for visiting those places. They had the experience of the noble Duke (the Duke of Westminster), who opened Grosvenor House, that whereas the average on week days was only 143, on Sundays it rose to 510. They had the experience of Birmingham, Manchester, Middlesbrough, Maidstone, Wigan, &c. They had the experience of Dublin in Ireland, of Sydney in Australia, of Chicago. Cincinnati, and St. Louis in America. In 1868 the descendants of the Puritans opened the Boston town libraries on Sunday, and the principal librarian now said that he would rather close them on any other two days in the week than on Sundays, on which days he had more than three times the number of readers than on any other day. The mercantile library of Philadelphia had also been opened some years on Sundays, and now had over 700 readers, mostly young men, on Sundays. The same had been done at New York, and with the same result. Sabbatarians might shake their heads and point to the librarians prevented from going to church. He preferred to point to the Report of their Lordships' recent Select Committee on Intemperance. There he found it stated that there were in this country 340,000 barmen and barmaids, the large majority of whom worked on Sundays, and numbers of whom were undoubtedly thereby prevented from going to church. And he would ask leave to quote Sir Joseph Paxton on this point, as he knew something of the tastes and wishes of the working classes. He said—

> "There would be less labour done on Sundays if museums were opened, as the number employed in public-houses would be greatly diminished."

He agreed with Sir Joseph Paxton, and he agreed with the noble Earl on the Cross-Benches, to whom he had already referred (the Earl of Derby), when he said, some years ago, in "another place"—

> "But one class would have grounds for thanking the Sabbatarians for their efforts in this direction—they would have gladdened the hearts and filled the pockets of every brewer, distiller, and publican in the United Kingdom."

He thought their Lordships would admit that language was not too strong, when he told them that, a few years ago, the public-houses in Manchester were watched on a Sunday, and were found to have been visited on that day by over 120,000 men, by over 71,000 women, and by over 23,000 children. Those figures were more eloquent than any words of his, and sufficiently told their own tale. Then they came to the desirability of removing such class restrictions as gave ground for the belief that the poorer classes of the community were, by the closing of museums on Sunday, treated with an asceticism not practised by the wealthy. Those words occurred in the Petition; and that point was well explained by Mr. Jesse Collings in the Birmingham Town Council, when the opening of the town libraries and museums there on Sunday was under discussion in 1871. He said—

> "If you are rich enough to become sole proprietor of books, of gardens, and pictures; nay, if you are rich enough to hold a share in a company that has such possessions, the law will not be against you, public opinion will be with you, and a religious scandal will not be created. If you can buy a share in the Crystal Palace, or if you can subscribe a guinea to the Botanical Gardens, you can enjoy art and nature righteously; but if you are so poor that you can possess books, and pictures, and gardens in the only way in which the poor can possess them—that is, in their corporate capacity, then such enjoyments become oppressive to the consciousness of certain other men, many of whom, by their own confession, derive the utmost delight from doing in their own homes that which they so strongly object to being done in the public libraries and art galleries of the town."

But he would not dwell any longer on that point, which was a self-evident one. He had already taken up too large a share of their Lordships' time, and he must refer, however briefly, to the general consensus of opinion on that subject of the leading magistrates and police authorities of London. Mr. Norton, who long presided over the Lambeth Police Court, said—

> "I am one of those who would see the Crystal Palace freely thrown open to the people on Sundays; also the Museums and the Zoological Gardens."

Again, Mr. Hardwick, of Marlborough Street Police Court, said—

> "I would let all places of innocent recreation be opened on Sundays. I think the effect would be to diminish drunkenness. If you provide good objects, less pernicious stimulants will be required."

Then they had Mr. Long, of Marylebone Police Court, who said—

> "The man who seeks recreation on Sunday afternoon may have been at church in the morning, or may go to church in the evening, and in

> enjoying the beauties of nature and art in the afternoon I think he is acting very wisely and properly. The higher classes have improved as the love of literature, of science, of nature, and of art have increased among them. What is low and disgraceful is now spurned; and the same will operate in all other grades of society. Encourage the people to take innocent recreation on Sunday, and as you give them better tastes they will relinquish low sensualities."

And Mr. Combe, of Southwark Police Court, said—

> "I think that every facility should be thrown in the way of the people for recreation on Sunday, and that they have a right to expect it."

Again, Mr. Wakley, Coroner for Middlesex, no bad judge, said—

> "I am strongly in favour of places of innocent recreation being thrown open on Sundays. My conviction is that it would greatly diminish drunkenness."

And, lastly, he would quote the late Sir Richard Mayne—

> "No disorder arises from persons going forth to places of innocent recreation, nor in the town afterwards. I should fear no disorder if the Crystal Palace or the Museums were opened. I have seen a great improvement in the people, and consider part of it, at least, owing to the greater opportunities which have been given for their amusement and the employment of their time on Sundays in other places than public-houses. Richmond Park, Hampton Court, Kew, and Bushy Park, attract large numbers on the summer Sundays; and I do not think I have been obliged to increase the number of police in those places, although the attendance has so largely increased."

Well, Sir Richard Mayne did not exactly tell them what this increase amounted to; but some idea might be formed of the extent to which the working classes availed themselves of whatever was thrown open to them, and of whatever entertainment was provided for them, on Sunday, from the following statement by Sir Benjamin Hall, the late Lord Llanover:—

> "That the Sunday visitors to Kensington Gardens had, by the band playing there, been increased from 7,000 to 80,000 in one day; and in the Regent's and Victoria Parks, 190,000 had been attracted by the bands on one afternoon; and that, so far from tumult or disorder arising, he had ascertained from the magistrates of the neighbouring Police Courts that the Monday morning cases had decreased."

Finally, he would read a letter from Birmingham. It was there that Sunday opening had received its fairest trial in this country, and it was, therefore, only natural to look there for the result.

Lord Thurlow

Accordingly, he placed himself in communication with the Chief Superintendent of Police there, Major Bond, an officer of great energy and experience, and he asked that gentleman to give him the results of the experience of his department on this question. This he kindly did. The name of Major Bond must be favourably known to many of their Lordships on account of the impartiality that characterized his evidence before their Lordships' recent Select Committee on Intemperance. He wrote him on April 7 last as follows:—

> "We have in Birmingham the following places open on Sundays:—The Art Gallery of the Midland Institute, the Free Libraries, and the Astor Park Museum. These places have now been open since 1872, and with the greatest success. In my opinion, no such satisfactory results could have been achieved amongst the poorer classes of this town in weaning them from the riot of the public-houses, the only place of resort for them on a Sunday, as has been the case since the throwing open of these places to the public. They are visited by thousands, and more orderly, quiet, and decently-dressed crowds are not to be seen anywhere. It is of the rarest occurrence that the intervention of the police is necessary. I trust your Lordship will be able to get the same boon for the working classes of London as is now enjoyed by the people of Birmingham."

He would now conclude this appeal to Majesty's Government and to their Lordships' House to take this opportunity to confer an incalculable benefit upon society and a priceless boon upon the artizans of London—a boon that, in his opinion, would come to them with peculiar propriety at a moment like the present of great privation and distress. He only asked for a trial in London of what was now being done elsewhere, and that on any scale Her Majesty's Government might think proper. He did not even ask for the whole of the four prominent institutions mentioned in the Petition. In the case of the British Museum, special departments like the prints, coins, gems, and large sections of the library, might remain closed. He could not admit that there existed any insuperable mechanical difficulties. A noble Earl whom he had the honour to sit near in that House, and whose whole life had been spent in successful endeavours to improve the condition of the working classes (the Earl of Shaftesbury), told them the other night, at the close of his eloquent appeal for the extension of the British Factory Acts to the oppressed operatives of British India, "Where there is a will, depend upon it you will find there is also a way." With these words from the experienced lips of the noble Earl (the Earl of Shaftesbury), he would now leave this matter in their Lordships' hands, confident that, at whatever result their Lordships might arrive, they would not refuse to give this subject their serious and impartial consideration. He therefore begged to move the Resolution of which he had given Notice.

Moved to resolve, That this House having observed the excellent results that have followed upon the opening of museums, &c. on Sunday afternoons in Dublin, Birmingham, Manchester, Middlesborough, Hampton Court, Kew, &c., is of opinion that it is highly desirable that the prayer of the petition of the Council of the National Sunday League, presented to this House on the 27th of March last, praying "for the opening of the British Museum, the South Kensington and Bethnal Green Museums, and the National Gallery to the people on Sunday afternoons," should be granted, even if only in part and as a tentative measure, in order to provide the working classes of London with an alternative to the public-house on the many inclement Sunday afternoons when places of out-of-doors recreation, such as the public parks, are of no avail for the purposes of health and relaxation.—(*The Lord Thurlow.*)

VISCOUNT POWERSCOURT, as one of the Governors of the National Gallery in Dublin, desired to say that during the last 13 or 14 years that institution had been regularly opened to the public every Sunday afternoon, from 2 o'clock until dusk, and that with the happiest results. The Gallery was invariably well attended by the working classes, and during all that time there had not been a single complaint made against any visitor. He desired to mention these facts in corroboration of the views expressed by the noble Lord, and trusted that the Government would see their way to acting on the prayer of the Petition.

THE EARL OF ABERDEEN observed, that as publicans, like other people, could not be expected to be in favour of any measure which interfered with their own interests, they would not be in favour of the opening of museums on Sunday if such a measure were, in their opinion, likely to lessen the amount of their receipts on that day. The strongest argument in favour of it would be to show that the libraries would be largely taken advantage of if it were brought into operation. Unfortunately, that was the point upon which the testimony was weakest—and, indeed, the only evidence on that branch of the subject was derived from America. What he desired to see was an extension of the Saturday half-holiday, and greater facilities given to the working classes to visit the museums on Saturday by the keeping open of those institutions till a later hour. With respect to the religious aspect of the question, it could not be expected that those who regarded Sunday as a day of rest of Divine origin could agree to the secularization of that day, the effect of which would, he thought, be to reduce it to what might be termed a Parisian Sunday.

THE EARL OF KINTORE said, he was unwilling to introduce a theological subject to their Lordships' Notice; but, while he gave every credit to the noble Lord and those who were in favour of his Motion for excellent motives, he could not think that their object would be obtained by the means they had suggested. He wished to see every possible facility given to the working classes to visit the museums on every day except the Lord's Day; but to the throwing open of those institutions on the Lord's Day he was altogether opposed.

THE MARQUESS OF RIPON said, that those who shared the views of the noble Earl who had just sat down were, of course, bound to vote against the Motion; but he (the Marquess of Ripon) was not one of those who thought that the injunctions of the Mosaic law with respect to the Jewish Sabbath applied to the Christian Sunday. To use the beautiful words of the author of "The Christian Year," it was, "An Easter Day in every week." Sunday was a holy day, and no one would more regret than he should any step which might be taken to lower it to the level of an ordinary holiday. If he had to choose between the English Sunday in its sternest form and the Sunday which was to be witnessed in some parts of the Continent—a Sunday devoted to labour on the one hand and horse-racing on the other—he should certainly choose the English Sunday; but, happily, the choice, as it appeared to him, did not lie between those alternatives. No doubt, they were often told that the proposal of his noble Friend was only "the thin end of the wedge." But that argument had been used against every improvement and reform in this country, though happily without success—to which circumstance it was owing that we had been able to proceed by reasonable steps instead of by violent changes. He quite admitted that, in providing the means for what appeared to him to be the reasonable recreation of the people on Sundays, care should be taken not to open to cupidity or self-interest a door by which Sunday work might be introduced. He should strongly object to Sunday labour—first, on religious grounds, and, secondly, because he believed a weekly day of rest to be essential to the physical well-being of the people. But he did not see that they need entertain any fear that, by rendering the Sunday of the working man more agreeable to him than it was at the present moment, they would be taking any step in the direction of Sunday labour. On the contrary, he believed that a measure of the kind now proposed would make it more sure that the working classes would resist any attempt to introduce Sunday labour. One consideration which had weighed a good deal with him against the proposal was the importance of not shocking the strong conscientious convictions entertained by many persons on the subject. A good many years ago, when in the other House of Parliament, he voted in favour of a Motion similar to the one now before their Lordships. Since then he had had to consider the question, for when he held the Office of Lord President, a deputation waited upon him in connection with the subject. He did not at that time feel prepared to suggest any alteration in the existing practice; but he hesitated mainly from the fear lest the proposed change should greatly shock the strong conscientious convictions which were entertained by persons whose feelings were entitled to the fullest consideration and respect. Still, considering that no one was to be compelled to go to places of recreation on Sunday who did not wish it, it would, he thought, be admitted that those religious convictions on the part of certain people ought not to be permitted to place a permanent obstacle in the way of the change now proposed. There were, it should be remembered, strong feelings on the other side, not merely on the part of individuals, but—what was more important—on the part of large masses of the working men; and, it seemed to him, the time had come when some further step towards meeting the views of that section of the population might be taken. Almost the only place of resort at present open to many of the working classes on Sundays was the pot-house. Now, it was surely much more consistent with the due observance of the Sunday that a man should spend an afternoon with his family in a museum or picture gallery, than that he should spend it alone in a pot-house, amid all the temptations which there beset him. Their Lordships, in justice, could hardly expect poor families to spend, say, a wet Sunday afternoon in the single room in which they were often lodged. Some change upon their only day of rest ought to be afforded them, and the question was, what should be the nature of that change? Was it to be the bar of the public-house or public institutions of the kind which the noble Lord desired to open? There was yet another argument which weighed very strongly with him in favour of the proposal. There were in this country, and he feared in all countries, a large number of persons who were practically indifferent to religious considerations, and also a small but active and energetic body who were distinctly hostile to the Christian religion. Now, to reject the Motion of his noble Friend would be to enable these latter people to go to the indifferent working man and to say—"Look what this gloomy and fierce and fanatical religion does for you; the rich can enjoy themselves whenever they please; the poor man has only Sunday at his disposal, and he is precluded from enjoying himself on that day in obedience, as they say, to the dictates of Christianity." That was a gross libel upon the spirit of the Christian religion; but, in holding such language, its enemies wielded a powerful and dangerous weapon, and it was to deprive them of that weapon that he was about to vote for the Motion.

THE EARL OF BEACONSFIELD: My Lords, unquestionably the Resolution moved by the noble Lord (Lord Thurlow) needs greater consideration than would appear on the surface. There is no doubt it is desirable that the working classes of this country should be more familiar with galleries of art and museums of science than they probably are. But that is a wish which, I think, ought not to be limited to the working classes. There are other classes in the country who would be benefited by a nearer acquaintance than they appear to me to possess with galleries of art and museums of science; and the tendency of our legislation of late years has happily been to bring the population of this country generally, irrespective of class, under the civilizing influence of those institutions—to bring art and science into nearer relation with the general life of the people. Within these few years public holidays have been established by statute. They have been secured to the people by the action of Parliament, and are not dependent upon the will of the Church; and there has been, besides, that great revolution in manners known as the half-Saturday movement—a revolution not legislative, but not less powerful, because it is the result of general conviction—whereby you secure 52 half-holidays in the year. Therefore, since the question now before your Lordships was first started, great changes, all favourable to the frequent visiting by the people of this country of galleries of art and museums of science, have occurred. The proposal of the noble Lord is in favour of a very considerable advance being made from the stage at which we have arrived, and it is impossible to consider that proposal without some reference to the religious feelings of the country. Now, my Lords, I would not take an exaggerated view of the circumstances connected with this proposition in that respect. I am perfectly free to admit that there is a difference between the Christian Sunday and the Jewish Sabbath, and I cannot agree with those who would extend to the observance of the Christian Sunday the rules and regulations of the Jewish Sabbath. If there be any who desire to do it, they would utterly fail to accomplish that purpose. But of all Divine institutions, I maintain the most divine is that which secures a day of rest for man. If there is a consideration connected with this subject which I think ought not to be absent from your Lordships' mind on this occasion, it is this—would it have been possible to have secured a day of rest for man unless it had been connected with the religious sentiment? To my mind, it would have been utterly impossible; and it is the religious principle which, to a certain extent, is admitted by all—at least, by all classes that have influence and numbers in this country; it is that principle we must take care should not be discarded if we wish to maintain that day of rest which I hold to be the most valuable blessing ever conceded to man. It is the corner-stone of all civilization; and it would be very difficult to estimate what might be the deleterious effects, even upon the health of the people, if there were no cessation from that constant toil and brain-work which must ever characterize a country like this, so advanced in its pursuits and civilization. Under these circumstances, I have ever hesitated to support propositions which have tended to diminish the observance of the Christian Sunday. Another point which ought to influence our decision is this—In all questions into which the religious sentiment enters, it is highly desirable that no change should be effected that is not called for by the expression of a predominant sentiment on the part of the people. What evidence have we of this predominance? I ask really as much for instruction as for any other object. I have endeavoured to obtain some information, and that information has not convinced me that there is such a predominance of opinion in favour of this great change. It is a great change, and those who suppose for a moment it can be limited to the proposal of the noble Lord will find they are mistaken. I want to know what evidence we have that there is this desire on the part of the people of this country for a change which will affect the conduct of their lives, and to a great degree their opinions on the most important and solemn subjects? I venture to refer to the proceedings in the other House of Parliament, the popular branch of the Legislature. This is not an old subject; as a public question it has come into prominence only within the last few years. I remember, as well as the noble Marquess, the first occasion on which it was brought forward in the other House of Parliament. The experiment has been made three or four times, and it has been made so recently as during the existence of the present

Government. If I am not mistaken, it was made during the last year I sat in the other House. What has been the principal feature of those discussions, debates, and divisions? Unquestionably this—that the proposal has always been defeated by vast majorities, and in those majorities you generally could observe the Members for the great commercial towns and the great centres of industry always voting against the proposition. These are grave circumstances—though I do not say they ought to be decisive. I do not say the question the noble Lord has brought forward is not one that deserves our consideration, and it has received to-night a consideration which it well deserved. But we ought to bear in mind that the proposal cannot rest where it is. I do not speak of the "thin end of the wedge," which has been denounced; I do not speak at all in that sense. I say it is in the nature of things that the proposition which the noble Lord has made must be followed by others, and the question will be the change in the habits of the people, and perhaps in their opinions, the further the matter is pursued. As a mere matter of politics, any substantial or considerable change in the legislation which secures a day of weekly rest to the people of this country should be, I will not say viewed with the greatest suspicion, but examined with the greatest vigilance. I believe this proposed change is viewed with suspicion by the working classes. Whether it is just or not I will not discuss; but if such a feeling is entertained by the labouring classes of this country, it ought to be tenderly treated. I do not think your Lordships should make any movement in the direction proposed unless you have good assurance you are taking a course with which the great body of the people of this country sympathize. No evidence has been given which convinces me of that; and, therefore, it is my duty to oppose a Motion—and I do it with regret—the apparent, and—I say it not offensively—the superficial, object of which would seem to be to civilize the people.

The Duke of SOMERSET said, that the question was one for Parliament to decide, and it would be for the Trustees of the British Museum to consider the wishes of Parliament. The galleries could be opened with very little inconvenience to the officers of the Museum; but it would be impossible to open the reading room, and, in fact, the reading room was not a place where a working man would desire to spend Sunday afternoon, nor would he find there the kind of literature he would want to read. The opening of the Museum on Saturday afternoon was practically of no advantage to working men, because on leaving work they had to go home to change their clothes, and to allow them time to reach it, it must be kept open until a late hour. The noble Earl spoke of the Motion as involving a great change; but what was the difference in principle between opening Museums and opening Kew Gardens and the gardens and galleries at Hampton Court? The visitor might study in one place the Beauties of the time of Charles II., but not in another the statues and adornments of an earlier age. The working man could not afford to go often to Hampton Court, and would prefer to visit places easier of access. In other towns galleries were being opened, why not in London? Great numbers had visited the Grosvenor Gallery, and their conduct had given every satisfaction. With regard to the Resolution itself, he confessed the wording of it was not exactly what he approved. For instance, it conceded the point only with regard to working men, while other classes were also interested in the question. At the same time, he must say he could not think that the opening of Museums and Picture Galleries would have the effect of closing public-houses. Upon the whole, he thought if their Lordships accepted this proposal, it would be an agreeable concession to many persons and injurious to none.

The Earl of DERBY was not disposed to blame the Government for being unwilling in this matter to move without popular support; their business was to follow opinion rather than to lead it; but, precisely for that reason, he, as not being under the restraint of an official position, wished to help in supplying that popular impulse without which nothing could be done. What was the real question before them? Like the noble Duke who had just addressed their Lordships, he was a Trustee of the British Museum, and he quite admitted that it would be inconvenient to open the reading room on Sunday. But that was really not what they had to decide. A question of detail of that kind could very easily be dealt with by the department concerned; but neither their Lordships nor the House of Commons would be unreasonably exacting, if it were found, from considerations of general inconvenience, impossible, in any particular instance, to give practical effect to the Resolution. The real question was whether certain public collections formed by the State, and paid for by taxation levied on all classes of the community, should be accessible to the great mass of the people during the only day of the week on which it was practicable for them to visit them. He thought there was a strong *primâ facie* case in favour of the principle of the Resolution, and it became stronger when they looked at the size and character of the Metropolis. The city in which they lived was the largest capital in the world, and certainly not the most picturesque. Residents in small towns could easily escape from them by a moderate walk; but there were upwards of 2,000,000 of people who lived in the interior of London who could not escape from the long succession of streets often squalid and generally dreary, and where, certainly on a Sunday, there was nothing to give pleasure or to create interest. The objection to open these galleries, though put in various forms, really came to this — the objectors did not like the idea of their neighbours passing their Sunday afternoons looking at pictures. But they did not lay down any consistent rules on this subject. They had laid out some fine parks and gardens with admirable skill and success, and they did all they could to encourage the people of London to frequent them; but he could not understand on what principle of reason or logic it could be held that it was perfectly innocent and right to walk in gardens and among flower beds, and absolutely wrong to enter a picture gallery. He did not deny the extreme importance of maintaining the day of national rest; but they must recollect that whatever amusements were allowed, some labour must be thrown on those who provided them. They permitted excursion trains, and they constantly saw, in the fine season, omnibuses and vans filled with occupants going into the country—and, on the whole, there was a great preponderance of advantage over disadvantage in this; but it necessarily involved labour imposed on a certain number of men who had to look after these excursionists. Nobody, again, attempted to prevent demonstrations for any purpose in the London parks; but there could not be a large meeting in Hyde Park without having a much larger number of police in attendance than would be required to look after all the galleries and museums in London. He did not deal with the abstract question, on which something might be said as to its not being the duty of the State to enforce what was essentially a religious obligation; but when they were told that the London population should be better employed than in visiting picture galleries, he was led to remark that, even if working men were in the habit of going to church, he did not believe they could find room in the churches. He did not wish to exaggerate the effect of what was proposed. After all, the 2,000 or 3,000 who, if this Resolution were carried, would visit museums and galleries would be inappreciable as compared with the number of those who frequented public-houses. But if public-houses were to be open on Sunday afternoons, they ought not to be the only places of amusement for working men. If they were not to be open, there was the more reason why some rational pleasure should be substituted for that which was taken away. Having taken some part in the discussion of the question in "another place," he felt he should not be doing his duty if he did not support the proposition of the noble Lord.

THE ARCHBISHOP OF CANTERBURY said, there had been a good many fallacies uttered on this subject, and the speech of the noble Lord who introduced the subject (Lord Thurlow) seemed to him especially to abound in them. In the first place, it was taken for granted that the working classes were in favour of this measure; but the proof of this was entirely wanting. The evidence placed in his hand was exactly on the other side. He was informed on authority he could not doubt that when a canvass was made in Bethnal Green, some short time ago, when that Museum was first opened, ten meetings were held of the working classes, eight of which repudiated the idea of opening it on Sunday, and only two were in favour of it. He believed, if they could ascertain the opinion of the working classes, they would find that they shared the alarm expressed by the noble Marquess on the other side of the House (the Marquess of Ripon), lest any great change in this matter should deprive them of that day of rest which they greatly valued, and which had been so conducive to the prosperity of this country. It was also taken for granted that all thinking men were of the same opinion as the noble Lord. Well, persons who advocated any measure were apt to suppose that those who differed from them were not thinking men. But, desirous as he was and had ever been to promote the welfare of working men, he could not think he should be acting in accordance either with their wishes or their interests in voting with the noble Lord on this occasion. They were told that in some places experiments had been made as to the opening of museums and libraries. But how many places which had museums and libraries had thought it at all necessary to open them on the Sunday? Had the persons who had the control of those museums and libraries in the various towns thought it right to open them? Unless he was misinformed, there were only two or three instances in which these institutions had been thrown open, though it was in the power of the managers to throw them open, and had the working classes wished it they would in all probability have done so. He could not help thinking that there was another fallacy which ran through the whole of this debate—that, after all, this was a step of very little consequence, and that the difference between going through gardens and going through the Grosvenor Gallery, the British Museum, or the National Gallery was scarcely appreciable. But what were their Lordships called upon to do to-night? They were called upon, before the eyes of the people of this Kingdom, to pronounce a deliberate opinion that the policy with regard to the observance of the Sunday hitherto pursued in this country had been a mistake. Those places which had been opened had been opened by some private arrangement; but here Parliament was called upon to make a most solemn declaration that the policy hitherto observed in this matter was a mistake, and that not on account of the wishes of the great body of the working classes, but of some Societies, one of which made no secret of its objects, but told them what were the ulterior views it had on this subject. But, with all respect for those who laboured in those Societies, their Lordships ought to know what they were aiming at before assenting to their request and making a great change in public policy. He was convinced that if any such change was made there was great danger of the day of rest being lost. The noble Marquess had pointed out, in terms better than he himself could use, the evils which existed on the Continent of Europe in this matter. Were they to say to the working classes—"You have made a mistake hitherto as to the Sunday. You are to enjoy yourselves, and to use the day in the way most conducive to your pleasure?" Whatever amelioration of society might be expected to follow from such a course as was now proposed, there would still be a large number of persons to whom the greatest pleasure in life would be to add a few pence to the wretched wages which the six days of work gave them. Let their Lordships look at the Continent of Europe, and observe the hard-working peasant coming back from the Sunday's labour in the fields, or let them go to Paris and see the work that was carried on there on Sundays as on other days. These things were full of warning to them not without sufficient reason to depart from that policy which had hitherto governed them in this important matter.

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Resolved in the *Negative.*

OMNIBUS REGULATION BILL.—(No. 41.)

(*The Chairman of Committees.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES), in moving that the Bill be now read a second time, said, its object was to make provision for promoting the safety and comfort of persons travelling in omnibuses, and to give powers to omnibus proprietors for the preservation of order. The measure, therefore, provided that no intoxicated person should be permitted to enter into, or mount upon any omnibus; or if found there, he might be removed by the conductor; swearing and obscene language was not to be permitted. Persons offensive in demeanour or dress were to be removed; smoking inside an omnibus was forbidden; no passenger was to blow a horn or other noisy or musical instrument except with the consent of the conductor; no animals were to be admitted; and loaded fire-arms were prohibited. These were the chief provisions for the protection of passengers. For the protection of the proprietors, the local authorities were to make general regulations as to the condition of the vehicles; and, on the application of the proprietor, might make such other regulations as might seem to them proper. The conductor of an omnibus was directed to enforce the provisions of the Act, and, should he fail to do so, he would be deemed to have committed an offence against the Act.

Moved, "That the Bill be now read 2^a."—(*The Chairman of Committees.*)

EARL BEAUCHAMP said, the Bill was entirely one of detail. The matter had been referred to the police authorities; but their report had not yet been received.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 13*th instant.*

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 5th May, 1879.

MINUTES.]—WAYS AND MEANS—*considered in Committee* — Customs and Inland Revenue Laws—*Resolution.*

PUBLIC BILLS—*Ordered—First Reading*—Local Government Poor Law (Provisional Orders) *

[155]; Local Government Provisional Orders (Axminster Union, &c.)* [154]; Courts of Justice Building Act (1865) Amendment* [156].

Second Reading — Criminal Code (Indictable Offences) [117]; Marriages Confirmation (Her Majesty's Ships) [149].

Committee—Game Laws Amendment (Scotland) [143]—R.P.

Committee—Report—Pier and Harbour Orders Confirmation (No. 1)* [118-153]; Pier and Harbour Orders Confirmation (No. 2)* [125]; Convention (Ireland) Act Repeal (No. 2)* [116].

Considered as amended—Prosecution of Offences [147].

Third Reading—Companies Acts Amendment* [102], and *passed.*

PETITION.

INDIA—BRITISH INDIAN ASSOCIATION, CALCUTTA.

PETITION PRESENTED.

MR. GLADSTONE: Sir, I have to present a Petition from a meeting of the British Indian Association at Calcutta. I shall not ask to have it read at the Table; but I may say that those from whom it emanates state that it has been frequently their privilege, on the invitation of the Indian Government, to offer advice and suggestion regarding public measures and public policy. The Petition relates to the charges for the Afghan War. Its authors decline to discuss the policy of that war, but they greatly regret the imposition of its charge on India, and point out that the Military Establishments of India, instead of being a burden to this country, have, as they conceive, frequently offered positive assistance to this country, and that on several occasions which they enumerate, from 1842 to 1867, Indian troops have been brought, for European purposes, beyond the limits, strictly so-called, of India. They then quote the language which they understand has been used by the Prime Minister in Parliament, to the effect that he considered the Afghan question as a question which concerned the character and influence of England in Europe, and they add that they think it hard that India should be called on to pay for a war which has to do with the character and influence of England in Europe. They state that this money, out of which the expense of the war is to be met in the first instance, is money already pledged, according to the words of the Finance Minister, to be religiously applied as a Famine Fund. They likewise state that it is not only the prime cost of the war which they regret, but that they are full of apprehension of a future charge, and that the question of a subsequent cost of maintaining the fruits of the war has caused consternation among them; for not only had 15,000 men been added to the Army, but it was impossible to say what additions will have to be made to the Military Establishment of India for the security of the new Frontier. I have no doubt the Petition will receive the best attention of the Committee on Petitions.

Petition *ordered* to lie on the Table.

QUESTIONS.

LOCAL GOVERNMENT BOARD (IRELAND).—QUESTION.

MR. MITCHELL HENRY asked Mr. Chancellor of the Exchequer, Whether Sir Alfred Power has resigned his office as President of the Local Government Board in Ireland; and, if so, whether, in consideration of the importance of the subject to the wellbeing of the Country, the Government will pause before making a permanent appointment, and consider the expediency of so far uniting the Local Government Board and the Board of Works as to place at their head a Member of the Government to represent the departments in Parliament?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am informed by my right hon. Friend the Chief Secretary for the Lord Lieutenant, who is himself, I believe, President of the Local Government Board, that Sir Alfred Power has resigned the Office of Vice President, and that Mr. Robinson has been nominated for it. I believe that the appointment to be made will be of a satisfactory character. At all events, I think we need not interfere with the proceedings of the Government in endeavouring to deal with the important question to which the hon. Gentleman refers.

MR. MITCHELL HENRY: Sir, in consequence of the right hon. Gentleman's answer, I beg to give Notice that I shall take the earliest opportunity of calling attention to the scandalous haste with which this appointment has been filled up.

EGYPT—THE CABINET—DISMISSAL OF MR. RIVERS WILSON AND M. DE BLIGNIERES—ACTION OF THE CONTROLLERS.—QUESTION.

CAPTAIN PRICE (for Mr. SACKVILLE) asked the Under Secretary of State for Foreign Affairs, with reference to the agreement by which, if the English and French Members of the Egyptian Cabinet were dismissed without the sanction of England and France, the control instituted by the decree of November 1876 was, ipso facto, to revive, Whether he can inform the House that this arrangement has now taken effect; and, if so, who are the two controllers appointed?

MR. BOURKE: Sir, the control has been revived on the part of the Egyptian Government; but Major Baring and Monsieur Bellaigne de Bughas have refused to act.

TURKEY—RUSSIAN AUTHORITIES IN EASTERN ROUMELIA.—QUESTIONS.

MR. HANBURY asked the Under Secretary of State for Foreign Affairs, Whether it is the fact that, in spite of the strong protest of the English Chief Commissioner, a Turkish subject, inhabiting a Turkish province, has been sentenced by the Russian authorities in Eastern Roumelia to banishment from that province and exile in Siberia; whether he was so sentenced for having been the principal author of a Petition which was presented to the Commission by the English Chief Commissioner; and, whether Her Majesty's Government have made any representations to the Government of Russia on this subject; and, if so, with what result?

MR. BOURKE: Sir, in reply to my hon. Friend, I do not think, from the documents which we have, that the facts are quite as they are presented in his Question; but, at the same time, I am not prepared to contradict his statement. It appears that for alleged falsification of a Petition, as mentioned by my hon. Friend, a man was sentenced to banishment to Siberia. In the opinion of Her Majesty's Government the Russian Commander-in-Chief was incompetent to pronounce that sentence, it being upon a Turkish subject in Turkey. Therefore, representations were made to Her Majesty's Ambassador at St. Petersburg, to the Russian Government, and that sentence has been commuted.

MR. HANBURY: Commuted to what?

MR. BOURKE: That we have not heard.

QUEEN'S PLATES (IRELAND).

QUESTIONS.

MR. SULLIVAN asked the Chief Secretary for Ireland, If he will lay upon the Table the Correspondence which led to the transfer of the Queen's Plate from Derry to Galway?

MR. J. LOWTHER: Sir, I shall be very happy to show the hon. and learned Gentleman the Correspondence he refers to; but as a good many of the communications which passed were verbal, and would, therefore, not appear in print, he will probably agree with me that it would hardly be desirable to lay the Papers upon the Table.

MR. SULLIVAN: Would the right hon. Gentleman state with whom the communications were made? I may say I am not in the slightest degree acquainted with these horsey matters.

MR. J. LOWTHER: The communications took place mainly between the Master of the Horse, the Irish Government, and the Corporation of Derry.

ARMY — COMMITTEE ON SERVICE OF OFFICERS UNDER AGE.—QUESTION.

COLONEL ARBUTHNOT asked the Secretary of State for War, Whether the Committee appointed to inquire into the question of the service of Officers under twenty years of age and other matters has made its report; and, whether he will lay that Report upon the Table of the House?

COLONEL LOYD LINDSAY, in reply, said, the Committee had made its Report. The Report had not yet been submitted to the Secretary of State for War; but he had every reason to believe that as soon as this step had been taken the document would be laid upon the Table of the House.

POOR LAW — CATHOLIC PAUPERS IN WALSALL WORKHOUSE.—QUESTIONS.

MR. SULLIVAN asked the President of the Local Government Board, If it is true, as stated in the local newspapers, that a Catholic pauper inmate of Walsall workhouse named James Hawkins, whose son, a soldier, was now serving in the Afghan war, was recently allowed to die in the house without the consolations of religion, the master having neglected to send for a clergyman, as was his duty; if the same master, about the time when Hawkins lay dying, prevented the attendant Catholic clergyman from visiting a sick inmate named Blake, because of an altercation which Blake's wife had had with some of the officers, but of which circumstance the clergyman had no cognisance whatever; and, if these statements are substantially true, what notice he proposes to take of such conduct on the part of a workhouse master?

Mr. SCLATER-BOOTH: Sir, I have made inquiries into the matter, and find it is true that a pauper Catholic recently died in Walsall Workhouse without the consolations of religion; but it can hardly be said that the master neglected his duty, as he was not bound to send for a priest under the consolidated Orders, unless the pauper required it. I do not say he ought not to have sent for a priest; but it is fair to add that a few days before the man died he was told that a priest was in the house, but he declined to see him. It is also true that an altercation took place between the matron and the priest. The wife wanted to visit her husband during the prohibited hours, and when she was not allowed to visit him she sent the priest; but as the priest did not come within the regulations of the house he was not admitted. The matron was not justified in refusing to admit the priest. I have received a communication from the governor of the house, which says that, so far from there being any desire to interfere with the Roman Catholic clergy, every facility consistent with the rules of the house was afforded them.

Mr. SULLIVAN: Might I ask if the Guardians have reproved the matron?

Mr. SCLATER-BOOTH: I do not know whether they have reproved her.

ISLAND OF CYPRUS—FORCED LABOUR.

QUESTION.

Mr. GOLDNEY asked the Under Secretary of State for Foreign Affairs, Whether, with reference to the assurance he gave to make certain inquiries relative to forced labour and the administration of the Law and other matters relative to Cyprus, he has received any Report from Sir Garnet Wolseley on the subject; and, if so, whether he will lay such Report upon the Table?

Mr. BOURKE: Yes, Sir. Reports upon this subject from Sir Garnet Wolseley were received some time ago and are being printed. As the hon. Member for Chelsea (Sir Charles W. Dilke) brought the representations which were the subject of these Reports before the House, it will possibly be satisfactory to him that he should move for them himself. If he does move for them I shall have no objection to their production. If, however, the hon. Baronet does not wish to move for them, then it will be open to the hon. Member for Chippenham to do so.

Sir CHARLES W. DILKE gave Notice that he would move for the Reports to-morrow.

THE ROYAL IRISH CONSTABULARY.

QUESTION.

Major O'BEIRNE asked the Chief Secretary for Ireland to state, To whom is the appeal of a sub-constable in the Royal Irish Constabulary from an unjust or harsh decision sent back for investigation to ascertain if it is groundless or frivolous; has the county inspector discretionary powers, and within what limit, for the infliction of fines; and, is it a fact that the right of appeal is seldom exercised in consequence of its being considered by the authorities a bar to promotion?

Mr. J. LOWTHER: The appeal to which the hon. and gallant Gentleman refers is to be made to the County Inspector. The County Inspector has a discretionary power of fining up to the amount of 10*s.*; but he has to make Reports periodically to the Inspector-General with regard to all cases in which he has exercised that power. With respect to the other point to which the hon. and gallant Gentleman refers, it is the case that the right of appeal is not often exercised; but it is not the fact that it constitutes any bar to promotion.

Major O'BEIRNE: Sir, in consequence of the right hon. Gentleman's answer, I beg to give Notice that in Committee of Supply I shall move the reduction of salary of County Inspector of Sligo by £120.

SIR BARTLE FRERE—LETTER OF THE QUEEN.—QUESTION.

MR. HUTCHINSON asked the Secretary of State for the Colonies, Whether he can give the House any information respecting the correctness or otherwise of a statement in the "Daily News," of May 2nd, and alleged to be copied from the "Cape Argus," to the effect that the Queen has written an autograph letter to Lady Frere, expressing Her Majesty's confidence in Sir Bartle Frere?

SIR MICHAEL HICKS-BEACH: Sir, I have not seen this statement, and I can give the House no information with respect to it.

TURKEY—ASIA MINOR—CONSULAR APPOINTMENTS.—QUESTIONS.

MR. J. HOLMS asked the Under Secretary of State for Foreign Affairs, Whether it is true that a number of appointments have already been made, or are about to be made, of additional Consuls General, Consuls, or other officials to fill various places in Asia Minor; and, if so, will he inform the House what these places and appointments are and the salaries attached to them?

MR. BOURKE: Yes; it is true that Consular appointments are about to be made in Anatolia. The appointments are not yet completed; but when they are, if the hon. Member will move for a list of the appointments, he can have it as an unopposed Return.

MR. J. HOLMS asked, Would it be possible to furnish a statement of the appointments before the House proceeded in Committee to consider Class 5 of the Estimates?

MR. BOURKE: I have no doubt they will be laid upon the Table before we come to Class 5.

MR. CHILDERS: There will be, of course, Supplementary Estimates?

MR. BOURKE: No; certainly not. I am not aware that there will be any Supplementary Estimates in respect of these appointments.

MR. DODSON said, that as it was not proposed to provide for the new appointments in Anatolia by Supplementary Estimates, he wished to know in what manner it was proposed to provide for them?

THE CHANCELLOR OF THE EXCHEQUER: As far as I know, from the Treasury point of view, the Estimate covers the new appointments. The new appointments will be to a considerable extent balanced by a diminution of the charge in other cases.

SOUTH AFRICA—THE ZULU WAR—SIR BARTLE FRERE'S INSTRUCTIONS.

QUESTIONS.

MR. JOHN BRIGHT asked Mr. Chancellor of the Exchequer, If, in reference to a statement of the Colonial Secretary that the disaster at Isandlana must be retrieved, and to the statement of the Government in Despatches now upon the Table of the House that no annexation of Zulu territory is contemplated, he will inform the House if any instructions have been sent to Sir Bartle Frere —or to any other person, if Sir Bartle Frere's hands are tied—as to conditions of peace; and whether the time has not now come, after successes over and the slaughter of some thousands of the Zulu forces, when a pacification may be hoped for by the offer of some reasonable term of peace to the Zulu King?

THE CHANCELLOR OF THE EXCHEQUER: Sir, Her Majesty's Government are most anxious to promote an early and reasonable pacification in South Africa, and they have furnished Sir Bartle Frere with instructions, both positive and negative, such as are, in their opinion, most calculated to bring about a satisfactory result.

Afterwards—

MR. W. E. FORSTER: I should like to ask another Question. I understood the right hon. Gentleman (the Chancellor of the Exchequer) to say that instructions had been sent to Sir Bartle Frere with regard to the terms of peace. I also understood, and I think other hon. Members did so too, that the public were informed in "another place" last Friday that no definite instructions had been sent on that matter to Sir Bartle Frere, and that they had not been sent out because no answer had been received from him to a despatch which was sent out by the Government some time ago. I therefore beg to ask the Chancellor of the Exchequer, Whether such answer has been received; and, also, if he can state the date of the instructions that have been sent?

The CHANCELLOR of the EXCHEQUER: Sir, no answer has been received to the communications in question, and what I intended to convey to the House is this—that instructions have been sent out to Sir Bartle Frere, both negative as to what he was not to do as to the policy of annexation and other things of that sort, and positive as to the object which he was to aim at in taking steps to preserve the British Colonies from the danger by which they have been threatened by the overwhelming power of the Zulu force. These instructions have been given in a manner which perfectly indicates to Sir Bartle Frere what are the views of Her Majesty's Government on the subject; but at the present moment I cannot tell the precise terms of the instructions.

Mr. W. E. FORSTER: May I ask, has the despatch which the right hon. Gentleman refers to been laid upon the Table of the House?

The CHANCELLOR of the EXCHEQUER: One despatch has not been laid on the Table of the House—a later despatch.

Mr. W. E. FORSTER: Does the right hon. Gentleman object to give the date of that despatch?

The CHANCELLOR of the EXCHEQUER: It is dated the 10th of April.

Mr. SULLIVAN wished to ask the Financial Secretary to the War Department, Whether it is true, as reported in the public newspapers, that on the occasion of a messenger from the Zulu Army bearing a flag of truce to Colonel Pearson, the flag of truce was disregarded and the bearer of it made a prisoner?

Colonel LOYD LINDSAY: Sir, the statement is entirely new to me, and, therefore, it is impossible for me to say either aye or no to it; but I can hardly credit it.

Mr. RICHARD gave Notice that he would, to-morrow, ask the Secretary of State for War, Whether there was any truth in the statement that the Zulu messenger to Colonel Pearson, carrying a flag of truce, had been put in irons as a spy under the advice of a missionary?

CONTAGIOUS DISEASES ACTS — THE SELECT COMMITTEE.—QUESTIONS.

Sir HARCOURT JOHNSTONE asked the Secretary of State for War, Whether he is now prepared to nominate the Select Committee on the Contagious Diseases Acts?

Mr. J. TREMAYNE asked, Whether it is proposed to give powers to the Committee to extend its inquiry with reference to these Acts, so that they may be extended to the principal seaports at present unprotected?

Colonel LOYD LINDSAY, in reply, said, it was proposed to nominate the Select Committee at once, which would consist of 15 Members, 10 to be chosen in the usual way, and five to be selected by the Committee of Selection. The terms of the Reference would be placed on the Notice Paper in the course of the next day or two. The object was to secure the most impartial tribunal on this somewhat difficult subject. As to the Question put by his hon. Friend the Member for East Cornwall (Mr. J. Tremayne), he was afraid he could not give an answer to it now; but if his hon. Friend would repeat his Question, it should be answered.

ARMY CLOTHING FACTORY, PIMLICO.

QUESTION.

Mr. MUNDELLA asked the Secretary of State for War, Whether he has appointed a Committee to inquire into the grievances of the workers in the Army Clothing Factory at Pimlico; and, if so, whether he will state to the House the persons composing the Committee, and will furnish their Report when completed; and, when he will lay upon the Table of the House, as promised, the new and old scale of wages paid in the Clothing Factory, and the changes made in the regulations of that establishment?

Lord EUSTACE CECIL: Sir, a small Committee of three Gentlemen, over whom the hon. Member for Oldham (Mr. Hibbert) has consented to preside, are about to inquire into the recent grievances of the operatives in the Army Clothing Factory at Pimlico. The Committee will report for the information of the Secretary of State and of myself, and it will be for further consideration hereafter whether the Report shall be made public or not. As I said on a previous occasion, there will be no objection to laying upon the Table of the House the old and new scales of wages paid in the Clothing Factory; and the proper time for doing that, I think, will be when the inquiry has taken place.

THE CHARITY COMMISSION—THE TWENTY-SIXTH REPORT.

QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Home Department, Whether his attention has been called to the twenty-sixth Report of the Charity Commissioners, in which they complain of the defects in the Charity Laws; and, whether it is the intention of Her Majesty's Government to re-introduce, at an early date, the Charitable Trusts Bill which was brought into the Upper House in July last?

MR. ASSHETON CROSS, in reply, said, his attention had been called to the matter, and he hoped it might be possible to introduce some measure on the subject.

THE CHARITY COMMISSION — PROPOSED SCHEME FOR DEFRAYING EXPENSES.—QUESTION.

MR. W. H. JAMES asked Mr. Chancellor of the Exchequer, If the proposed scheme for defraying part of the expenses of the Charity Commission has received the approval of the Board of Commissioners or emanates from one or more of its individual members; when it is proposed to put it in force; and, if a Copy of it, together with the Correspondence relating to the subject, will be laid before Parliament?

SIR HENRY SELWIN-IBBETSON, in reply, said, he had been asked by his right hon. Friend to answer this Question. The proposed scheme, as he stated in the discussion the other evening, was a sketch scheme of his own. It was submitted to the Commissioners, and embodied in a draft Report by the Chairman of that Body. It was proposed to put the scheme in force as soon as matters were arranged. Until they were in a position to submit the scheme to the House, he did not think it would be well to place the Correspondence, which was necessarily imperfect, on the Table.

REPORTS OF THE REGISTRARS GENERAL FOR IRELAND AND SCOTLAND.—QUESTION.

GENERAL SIR GEORGE BALFOUR asked the President of the Local Government Board, When he may expect the Irish and Scotch Registrars' Reports of Births, &c.?

MR. SCLATER-BOOTH, in reply, said, he had already informed the hon. and gallant Gentleman that he had no authority whatever over this registration. He had mentioned the matter to the Lord Advocate, who, he believed, had telegraphed to Scotland to make inquiries on the subject.

FOREIGN AND COLONIAL POLICY OF THE GOVERNMENT—NOTICE OF MOTION OF SIR WILFRID LAWSON.

OBSERVATIONS. QUESTION.

THE MARQUESS OF HARTINGTON: I wish to put a Question to my hon. Friend the Member for Carlisle relating to the Business on the Paper to-day, and the answer to which, I think, may possibly expedite the Business before the House. Perhaps the House will allow me to say one or two words in explanation. I have had some communication with my hon. Friend relating to the Motion of which he has given Notice on going into Committee of Ways and Means, and I informed my hon. Friend that I do not concur with him in the expediency of bringing forward the Resolution of which he has given Notice at the present time. I also informed him that, to the best of my judgment, it was not one, if moved under present circumstances, that was likely to meet with a large amount of support on this side of the House. I believe, however, that my hon. Friend does not concur with me in the view that I take of the matter, and is of opinion that the issue which he desires to raise is one which is distinct from any hitherto decided by the House, and that it will be his duty, at a fitting opportunity, to bring forward this Motion and to bring it to the test of a Division. I am sure my hon. Friend, in the course he proposes to take, does not desire to cause any inconvenience, or any further delay to the Business of the House than can possibly be avoided; and as I understand that a discussion of some importance upon purely financial questions is likely to take place whenever we go into Committee of Ways and Means, and as it would be inconvenient that the time for our going into Committee should be uncertain, I wish to ask my hon. Friend whether, in the event of his still thinking it would be necessary to bring forward the Resolution, he would think it expedient to postpone the Motion from the Question that you, Sir, do now leave the Chair, until some further stage in the Customs and Inland Revenue Bill? If my hon. Friend is willing to take that course, I think it would tend to the convenience of the House and to the progress of Public Business.

Sir WILFRID LAWSON: I can assure the House and the noble Lord that I am most anxious to meet what appears to be the convenience of the House. I have heard what the noble Lord has said, and I am greatly indebted to him. I may, perhaps, be permitted to state that I should not have ventured to bring this Motion if I had not considered —as I think I shall be able to prove when I proceed with it—that it was a totally different Motion from that which we debated last week. But, be that as it may, I am aware that the Chancellor of the Exchequer kindly stated at the conclusion of the last debate that we should have four or five opportunities of raising a discussion on the Budget, and, that being the case, I think I should, perhaps, meet the convenience of the House by agreeing to what the noble Lord has suggested, and postponing my Motion until some future stage of the Budget Bill. Of course, in doing so, I act entirely on my own responsibility, and I do not hold the noble Lord pledged to give me any more support on a future occasion than he would have done now. I act entirely on my own responsibility, and I hope that when the time comes I shall be able to make out a good case.

THE GREEK FRONTIER—CONFERENCE OF AMBASSADORS AT CONSTANTINOPLE.—QUESTION.

Mr. MONK: May I ask the Under Secretary of State for Foreign Affairs a Question of which I have not been able to give him private Notice? It is, Whether there is any truth in the statement which appears this morning of the failure of the negotiations carried on between the Powers with a view to a Conference of Ambassadors at Constantinople, to settle the Greek Frontier question; and, if so, whether the failure is consequent on the refusal of the English Government to entertain that proposal?

Mr. BOURKE: Sir, I have no knowledge of the statement; but perhaps the hon. Member will give me Notice of the Question for another occasion.

CRIMINAL LAW—CASE OF THOMAS MORAN.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether he has more fully investigated the case of Thomas Moran, and whether his alleged refusal to act had been caused by the one-sided statements of the magistrates?

Mr. ASSHETON CROSS: Sir, I feel bound to say that I never judge any case by one-sided statements. The inquiries which I have been trying to make have been principally through those persons who are most active in seeking to obtain his release. I have the statement on the case before me; and, on behalf of the magistrates, I think it right to state that the evidence which was given before them has been confirmed and corroborated by all the statements which have been laid before me since. Those gentlemen who were most active in seeking to obtain his immediate release had come to the conclusion that the sums he was said to have received were actually received by him, and that he might have been in full work during the whole of the time. There is also no doubt that he applied for and obtained relief from the Charity Organization Society at a time when he was in full work; and I certainly do not think that the sympathy which has been spent on this man is really deserved. If a person obtains work and good wages, and is in good health, it is not creditable for him to leave his children in the workhouse without paying for them. He was, however, out of work at Christmas, and I am in communication with the magistrates as to the sentence which they passed upon him. They undoubtedly passed the heaviest sentence which the law allows, and I have already said that I think it was too severe.

PARLIAMENT—ORDER OF BUSINESS.

QUESTIONS.

In reply to Mr. Puleston,

Mr. W. H. SMITH said, he was afraid there was no chance of bringing on the Navy Estimates again until after Whitsuntide.

In reply to Mr. A MILLS,

THE CHANCELLOR OF THE EXCHEQUER stated that, in consequence of the absence of his right hon. and gallant Friend the Secretary of State for War, from indisposition, they would not be able to take the Army Discipline Bill that night. After the Committee of Ways and Means, they would proceed with the Criminal Code Bill, or the Public Works Loans Bill.

PROSECUTION OF OFFENCES BILL.

OBSERVATIONS. QUESTION.

MR. NEWDEGATE wished to put a Question to the right hon. Gentleman the Secretary of State for the Home Department with respect to an Order which stood late on the Notice Paper, the Prosecution of Offences Bill; and a clause, which he (Mr. Newdegate) had given Notice that he would move as an addition to that Bill, stood upon the Notice Paper when the Bill stood for Committee on Thursday last. Not expecting that the Bill would come on that night, he was not on Thursday last present to move this clause, the object of which was to assimilate the law of England to that of Scotland, with respect to the Public Prosecutor and his relations to the Courts of Justice. From the best information which he could gather—for there was scarcely any report in the newspapers—it appeared that, in his absence, and without having obtained his consent, the right hon. Gentleman the Home Secretary moved the clause of which he (Mr. Newdegate) had given Notice. According to the practice of the House, if one hon. Member gave Notice of a Bill, or a particular clause, no other hon. Member was entitled, without the consent of the Member who had given Notice, and unless he approved of the principle of the clause, to move the second reading of such clause or Bill. But the right hon. Gentleman had moved the second reading of the clause which stood in his (Mr. Newdegate's) name, although he did not, as it appeared, approve of the principle of the clause; and, having thus stepped into his (Mr. Newdegate's) shoes, the right hon. Gentleman had performed the evolution which an Irish gentleman had ascribed to another, as "having turned his back upon himself." For, after moving that the clause, which asserted the principle of the right of appeal to the Supreme Court against the decision of the Public Prosecutor, should be read a second time, no sooner was it taken in Committee than the right hon. Gentleman proposed the reversal of its principle. This proceeding on the part of the right hon. Gentleman placed him (Mr. Newdegate) in a somewhat extraordinary position. He had no resource but to place on the Notice Paper an Amendment, as he had done, for the purpose of restoring the clause to the form and terms in which it originally stood in his name; but as the operation, which the right hon. Gentleman performed on Thursday, took place late at night, he (Mr. Newdegate) was anxious to know whether the right hon. Gentleman intended to proceed with the Report of this Bill that evening, and after what hour he would not proceed with it? He asked this Question, because hitherto the Bill had never been considered before between midnight and 1 o'clock in the morning, and it was a measure that contained most important principles. He hoped, then, the House would excuse his having called its attention to this irregularity; and he would observe that if such departures from the regular practice of the House received the sanction of the right hon. Gentleman, who ought to be a high authority in the House, it would become difficult for hon. Members to form any judgment on the mode of conducting the Business of the House. The right hon. Gentleman had on Monday last asked him to postpone his clause until the Report on the Bill; but he (Mr. Newdegate) declined to do so, because other hon. Members wished the Committee to be postponed, and it was postponed accordingly. He was sure the House would feel the wisdom of adhering to the established practice of the House, according to which no hon. Member was entitled to move a Notice, especially a Bill or a clause to be added to a Bill, the principle of which he was not prepared to support. When any hon. Member gave Notice of a Bill or an important clause, he exercised an important privilege in so doing, and this privilege was founded upon the expectation that the Member who moved coincided in the principle of the Bill or clause he proposed. If, then, an hon. Member who might know nothing of the subject-matter, or who desired to reverse the principle contained in a Bill or a clause, was to be held at liberty to move the second reading of any Bill or clause, and then afterwards to reverse the principle of it in Committee, he (Mr. Newdegate) could not imagine how order in the proceedings of that House could be maintained. He thanked the House for allowing him to make these remarks with regard to what had taken place with respect to this clause during his absence and without his consent; and he now begged to ask the right hon. Gentleman the Home Secretary, Whether he intended to proceed with the Report of the Prosecution of Offences Bill that night, and after what hour he would not proceed with it?

Mr. ASSHETON CROSS said, that he had often heard that it was not a wise thing to do a kindness, and after what he had just heard nothing would tempt him to do the same thing again. When the clause came on, about a quarter-past 12, he did not like to see it passed over without any notice being taken of it in the absence of his hon. Friend, and what had subsequently occurred had been done by order of the Chairman. He took the course which he did in order to give his hon. Friend an opportunity of raising a discussion of the principle of the clause which he had put on the Paper. He had made certain alterations in the clause, in order to meet the views of the Attorney General; and he believed that, after consultation with the Law Officers of the Crown, he would be able to settle the matter to the satisfaction of his hon. Friend. There would be ample opportunity, he might add, for moving an Amendment on the Report.

Mr. CHAMBERLAIN expressed a hope that the Public Works Loans Bill would not be taken that evening. The Chancellor of the Exchequer had promised that when brought on it should stand as the first Order.

The CHANCELLOR of the EXCHEQUER said, he did not recollect having made any such promise—in fact, his impression was that he had distinctly declined to put down the Public Works Loans Bill as the First Order. He now found that his hon. and learned Friend the Attorney General was prepared to proceed with the Criminal Code Bill; and, therefore, that would be taken that evening if it could be reached in good time.

MEDICAL ACT AMENDMENT BILL—THE MEDICAL COUNCIL.—QUESTION.

Mr. W. E. FORSTER asked the Vice President of the Council, When he intends to move for a Committee to inquire into the constitution of the Medical Council?

Lord GEORGE HAMILTON, in reply, said, the second reading of the Medical Act Amendment Bill, and the Motion for a Select Committee on the same subject, were both blocked by Amendments standing in the names of hon. Gentlemen opposite; and unless the right hon. Gentleman could prevail on his hon. Friends to withdraw their Notices, there was no immediate prospect of his being able to proceed with the Bill or the Motion.

ORDERS OF THE DAY.

GLASGOW MUNICIPAL EXTENSION, &c. BILL.

SPECIAL REPORT.

Special Report read, and *considered.*

Admiral EGERTON: I now beg to move the following Resolution:—

> "That, having heard the Special Report of the Committee, the House is of opinion that a breach of privilege has been committed, and that the parties by whom the Petition in question was prepared are liable to be dealt with by the House in respect thereof, but that under the circumstances it is not necessary to proceed further in the matter."

I will not occupy the time of the House very long while I propose the Motion of which I have given Notice. Although the conclusion contained in the Resolution may seem a somewhat lame conclusion at which to arrive after the reading of the Report which has been presented to the House, I think it is a proper one. The facts of the case are very simple. The Committee over which I had the honour to preside had, amongst other matters, to deal with the Petitions which had been presented to them. In the course of the case it appeared that certain Petitions had been presented in opposition to the Bill, and had received a number of what were called forged signatures. It was stated that a considerable number of signatures—amounting to over 100—were not in the handwriting of the persons bearing the names, and it was also stated that a great many of the signatures appeared without the consent of the persons supposed to have signed the Petition. Now, I confess, as Chairman of that Committee, that I was not aware that it was the duty of the Committee to investigate the circumstances attending any Petition presented to it. Certain allegations were made respecting the Petitions presented to us, and as there was no machinery existing in the Court of Referees to inquire into them, it plainly became the duty of the Committee to institute such inquiry. We consequently examined a number of witnesses on both sides; and in the course of their examination it became perfectly clear that the facts were as alleged; that a considerable number of signatures attached to the Petition were not those of the individuals they were professed to be; and, moreover, it was also seen equally clearly that a great number of the signatures were in one person's handwriting. We called before us, amongst others, one witness who admitted that he had written a number of the signatures, and who likewise admitted that he believed that he had obtained the authority of either the person whose name he had affixed, or, in other cases, the authority of either the wife or some representative to do so. Well, there was no doubt that this proceeding was a violation of Rule 316 of the Rules and Orders which govern Public Petitions, and also a violation of Standing Order 129, which says that no Petition shall be allowed which is not in strict conformity with the Rules and Orders of the House. Besides such a violation, it was plain that, according to the technical Rules of the House, a breach of Privilege had been committed. But, after the most minute inquiry that to the Members of the Committee that we could make, it appeared to me and there had been no intention to commit a fraud; that the witness by whom these names were signed had nothing to gain by it; that he was not paid by the number of signatures he obtained, but paid by the day; and that his instructions were to obtain as many signatures as he could. I think the whole thing arose very much more from ignorance of the Rules of the House than otherwise; indeed, it appeared from the evidence that the Memorial from the inhabitants of Glasgow was got up in pretty much the same way, but corrected before it reached the Committee. There had been a want of discrimination on both sides. It became quite clear, so far as the promoters and agents in the case were concerned, although some blame may be attributed to them for the haste with which they got up the Petition, that there was no evidence of any intention on their part to deceive the Committee; in fact, the evidence was entirely the other way. Under these circumstances, the Committee considered what we ought to report to the House, and the Report which I brought up on Friday was the result of our deliberations. We thought, Sir, on the whole, that although the offence apparently in the first instance was a somewhat serious one, yet it was committed in ignorance of the Rules of the House, and that it was possible that any punishment we inflicted might, perhaps, be greater than the fault deserved. Taking all things into consideration, it appeared to us that, by the Resolution which I have the honour to move to-day, the power of the House might be sufficiently demonstrated and its dignity sufficiently vindicated. I therefore beg to move the Resolution of which I have given Notice.

SIR EDMUND LECHMERE: As a Member of the Committee on this Bill, I beg to second the Motion.

Motion made, and Question proposed,

"That, having heard the Special Report of the Committee, the House is of opinion that a breach of privilege has been committed, and that the parties by whom the Petition in question was prepared are liable to be dealt with by the House in respect thereof, but that under the circumstances it is not necessary to proceed further in the matter."—(*Admiral Egerton.*)

MR. ANDERSON: Before the Resolution is put to the House, I should like to say one word. I have no wish to ask the House to deal more severely with these parties than the gallant Admiral proposes; yet, at the same time, I think it would be an unpardonable thing to allow it to go abroad that this mode of dealing with the House—this mode of falsifying Petitions—is really a trivial matter. The signing of an ordinary Petition to the House is often done in a very perfunctory way; and while I am not prepared to say that the signing of a Petition to a Private Bill Committee should be placed on any different footing to a Petition to the House, I think the House will see on consideration that it has a very different bearing in reality. A Petition to a Private Bill Committee is a Petition to gain a *locus standi* before the Committee to oppose a Bill; it is a Petition to gain a certain special and immediate advantage. A Petition is presented to this House to ask for certain enactments or amendments of laws, and so forth, and it is ordered to lie on the Table, and does not materially influence any large section of hon. Members; but a Private Bill Committee, consisting of four or five individuals, and having a Petition laid before it for special consideration, is very apt to be influenced by every Petition which comes before it in that way. Therefore, the effect of a Petition presented to a Committee is greater than that of an ordinary Petition presented to the House. Now, Sir, the facts connected with the getting up of this Petition were very questionable indeed. The counties around Glasgow had always very persistently opposed any attempt to bring within the boundary of the City certain outlying districts; and, in this instance, the clerk to the Commissioners of Supply of the County of Renfrew set about getting up all the opposition he could. He was not able to get the signatures to the Petition himself, so he employed a Mr. Russell. Mr. Russell, also, was unable to get the signatures, so he employed a Mr. Henrietta, who employed a fourth, a Mr. Henderson, and this Mr. Henderson went about the district collecting signatures, and where he could not get signatures he simply wrote down the names himself. Now, the statement that he got the authority of the wife or some other representative of the alleged signators proves to be very shadowy indeed. The man, in his great desire to show his zeal to his employer, where he could not get the names, simply wrote them himself, and 75 names were thus written to a Petition which was to influence a Private Bill Committee. Fortunately, the thing was found out, the Committee was not influenced, and no harm has been done. I understand that the Committee entirely rejected that Petition, and that there is no intention that it should be rehabilitated before the Committee. That being so, I shall abstain from moving any counter Resolution. Had there been any attempt to rehabilitate the Petition, I should have felt bound to oppose it.

Sir EDWARD COLEBROOKE: After the statement of the hon. Member for Glasgow (Mr. Anderson), I think it would be very much to be regretted if the House were to measure out the blame to these persons without our having the evidence before them on which the Report was made.

Mr. MONK: I feel a difficulty in supporting the Motion of the gallant Admiral, because it states "After having heard the special Report of the Committee, the House is of opinion." For my part, I have not heard the special Report of the Committee, and I doubt whether any hon. Member has heard that Report. I am not aware that the Report has been read by the Clerk at the Table. I think it ought to have been printed and circulated. [An hon. Member: It has been.] That being the case, I, unfortunately, have not seen the Report. But I must agree with the hon. Member for Glasgow (Mr. Anderson) that in cases of this kind, where a witness has admitted that he has forged a certain number of signatures, the House ought not merely, as it were, to pass to the Order of the Day and take no further notice of such a proceeding as that laid before the House. I think it would be desirable, at all events, that the House should, through the Chairman of the Committee, in a marked manner, reprimand the witness for having committed such a forgery. It should be shown that the House takes notice of Petitions, whether they are presented to Select Committees or presented to the House itself.

The CHANCELLOR of the EXCHEQUER: Although, doubtless, this is a matter which touches all Committees of the House, and although the House would certainly do wrong in showing any indifference as to the manner in which Petitions are presented to the House or to its Committees, still, having heard the Report which has been presented by the Committee, and seeing the recommendation which the Chairman of the Committee has thought fit to make, after viewing all the circumstances, I think the House may be satisfied that, by passing the Resolution the hon. and gallant Gentleman proposes, it will be doing all that is required. There is no question whatever as to the breach of privilege that has been made, and as to the liability of the parties to any proceeding which the House may think fit to take; but, under the circumstances, as I gather them from the statement of the hon. and gallant Gentleman, the House may, I think, extend its mercy, so to speak, to those who have been guilty of this offence. I think it would be unnecessary that we should proceed further, and that we may be satisfied with the Resolution.

Resolution *agreed to.*

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. GLADSTONE: I desire, Sir, to revert to the proposition in which the defence of the present financial plan of the Government was left when the House lately voted a substantiation of that plan. It is not my intention to again travel over any portion of the ground taken up in the discussion when the House was last in Committee on this question; but, in the defence which the right hon. Gentleman the Chancellor of the Exchequer then made, there was embodied, not as a casual but as a principal element, a reference to the policy pursued in the year 1860. It was referred to partly for the purpose of precedent and partly for the purpose of apology. The doctrine was laid down in 1860, and was quoted during the present year, that in a case where a considerable war expenditure arises, it is not unfair to make the provision for that expenditure partly from taxes and partly by means of loan or other temporary resources, not included within the regular Revenue of the year. It is quite true that I am responsible for having laid down that doctrine, and it appears to me to be a very reasonable one. It was acted upon in July, 1860, when we had a large demand, exceeding £3,000,000, at the close of the Session —a demand which came upon us for funds to carry on the war in China. A portion of it was proposed to be provided for by taxes, and the other and the smaller portion was proposed to be provided for out of balances—a measure which would have been exactly the same in principle as if the case had been one of Exchequer Bonds or Bills. That doctrine, however, is quoted in support of a plan of finance in which there is no distinction whatever in taxation—that is to say, between new taxation and borrowing. Of the whole of the sum that is wanted for the purposes of the year, not one farthing—except £2,000 upon cigars, which I do not think will be quoted—is proposed to be taken by new taxes. The doctrine of 1860 was applied at a time when we proposed to lay on new taxes to a considerable amount upon spirits imported from abroad and manufactured at home, and consequently there is no analogy whatever between the case of that year, when there was a real division in the mode of supply between taxes and other resources, and the present case, when no recourse is had to taxation whatever. I come to a point on which a statement was made by the Chancellor of the Exchequer on which it may be necessary for me to trouble the House at some length—a statement which, I will venture to say, even if it had been well founded in fact, would not have served to justify the finance which is now before us. The statement of the right hon. Gentleman, in brief, was this—That in 1860 the Government of that day imposed, and the House agreed to impose, certain taxes, and the House likewise agreed to repeal certain taxes, and that the taxes repealed exceeded the taxes imposed by £2,600,000. The Chancellor of the Exchequer added, that while we were repealing taxes to that extent over and above the taxes imposed in that same year, having a certain amount to charge for the erection of fortifications, we did not meet it from the Votes, but by resorting to borrowing and to the creation of annuities. That is an extreme case of *argumentum ad hominem*, if it can be sustained as a matter of fact; but can it be so sustained? The state of the case is really this—the charge, as it ultimately came out, for fortifications in 1860-1, was very small, about £150,000, but the original Estimate laid before the Government was much above that sum. According to that statement, the Estimate for the first year was to have been £2,000,000; and the question which I had to consider, as Chancellor of the Exchequer, was whether I had to place those £2,000,000 upon the Votes? My justification for not doing so was not at all that we were making a permanent addition to the defences of the country; but that I had already pressed Parliament and the people up to the extreme of what they could be induced or reasonably be expected to bear in the matter of taxation. The statement of the Chancellor of the Exchequer and my own are in violent contradiction; and if the former is correct I will willingly submit my back to the smiter. But let us see how the case stands. I have a little book before me, accessible to all hon. Members, from which I find that in 1860 the amount of taxes repealed was £3,080,000, and that the amount of taxes imposed was £3,030,000. Therefore, the first fact which a reference to that little book shows is to reduce—to get rid of—the £2,600,000 of supposed balance or remission which the Chancellor of the Exchequer advances as the main apology for the finance which he has given us this year. That is the first step in my examination of the case; but only the first step, and a small part of the ground over which I wish to travel. These are statements setting forth the financial proceedings of each year; but it is impossible to give, in the few figures there given, any decidedly accurate account of any complicated financial statement which may result from the affairs of this country. It so happens that in the year 1860 these proceedings were exceedingly complicated. There was a mass of taxation repealed under Treaty, and a mass of taxation repealed not under Treaty, and there was a vast amount of taxation imposed, very varying in its character. Again, after the first Budget of the 10th of February there was a second one growing out of the Chinese War, which still further complicates matters. But the first correction I make is a correction perfectly obvious. The taxes repealed as they are put down in this statement are put down according to the amount of relief given to the consumer. But the merits of the Chancellor of the Exchequer in the repeal of taxation are not to be judged by the relief to the consumer. The test as regards it is the amount of loss to the Exchequer. Anyone who will refer to my Financial Statement will find that the amount of relief given to consumers was, no doubt, substantially as it is put down in this present book; but he will also find that I there and then stated that, as the whole of these taxes were differential duties, there would be a large recovery on these taxes, which I then estimated at £671,000, which was to come back into the Treasury. I must, therefore, deduct that from the supposed loss of the year, and bringing it down to £2,415,000, and deducting that from the amount of the taxation imposed, according to this book, there is a balance of taxes imposed over taxes relieved of £616,000. That is the next peg I have to drive into the statement of the right hon. Gentleman, but I have not nearly done with him. Let me say, however, in the first instance, that, as a general rule in any discussion between that side and this on matters of figures, I think the Chancellor of the Exchequer and the Secretary to the Treasury ought to be held a great deal more tightly to their figures than Gentlemen on this side of the House, because their means of examination and verification are far superior to any of those that we enjoy. At the same time, I do not charge upon my right hon. Friend anything but innocent and involuntary error. I consider my right hon. Friend as accurate in the use of figures as anybody I know; and as I mean to impeach his statement right and left, wholesale and retail, I am bound to make that statement. My right hon. Friend has forgotten that March 31, 1860, was a very great epoch in our finance. He has forgotten two things of the most vital consequence; and when I speak of his errors in this respect, the errors which I have already pointed out are small compared with those which I am going to point out. The first of these errors is this. During the Crimean War extra taxation was laid on tea and sugar, and its term was fixed for March 31, 1860. This £2,100,000 which we realized as extra taxation on tea and sugar was to lapse with the Budget of 1860. But we induced Parliament to renew that taxation, and that was, in the strictest sense, the imposition of fresh taxation. Therefore, that £2,100,000 ought to be added to the £616,000 as the balance according to this Blue Blook of taxes imposed over taxes repealed. That is not all. I do not think my right hon. Friend can be aware of the state in which the law was with regard to the Income Tax in 1860. He is evidently under the impression that we then had a 9*d.* tax. [The CHANCELLOR of the EXCHEQUER: No, no.] If that is not so, I am very sorry; for only in that way have I been able to account for the extraordinary statement which he has laid before the House. There was no 9*d.* tax in that year at all. I must refer to what had occurred in 1859 in order to make the matter clear. There was then a deficit which was not altogether unexpected; for I have observed that it is becoming almost a normal practice for a Conservative Government when it goes out of Office to hand over a very large deficit to a Liberal Government. That is, perhaps, a controversial remark; but it is the only one I shall make. In June, 1859, then, the Conservative or Tory Government went out of Office; but it presented its Estimates in February, 1859, and from the 1st of April the whole Expenditure was going on upon a scale enormously increased. The 18th of July was the earliest date when the Government of Lord Palmerston was able to bring the finance of the country under the consideration of the House; and, therefore, nearly four months of the financial year had gone, and nearly four months of this augmented Expenditure had been passed over. The Expenditure was certainly approved and required by the country; but our unfortunate predicament was that when four months were gone we acceded to Office, and had to meet a deficiency of £5,000,000, with one-third of the year gone. Well, Sir, we met that deficiency, and we met it without borrowing, while we maintained that we must make adequate and effective provision for the wants of the year. I also maintained that it was a period when the attention of the Committee should be rigidly confined to the wants of the year. That was an express and explicit pledge that we asked for money to defray the charge of the country for the year, but did not pledge them to anything beyond it. I asked Parliament to give me 4*d.* in the pound upon the Income Tax, not by raising the 5*d.* tax to 9*d.*, but to give me a payment of 4*d.* in one lump, not upon the year but upon the first half of the year, and Parliament agreed to that proposal. By that means we raised the whole amount required, and only in that way could it be done. The House ought to be aware that the Income Tax was not receivable then as it is now within the year, but only one-half was received within the year, and the other half was received after it was expired. The consequence was, that in 1859-60 we had an Income Tax of 5*d.* in the pound expiring in March, 1860; and in respect of the first half of the year we had a tax of 4*d.* on that half in a lump sum, which, if extended to the whole year, would have been equal to a tax of 8*d.* in the pound, while in the last half the rate was 5*d.* in the pound; but that was not all that was done. Besides the tax voted in this way, besides the war duties on tea and sugar of £2,100,000, we asked Parliament to raise the 5*d.* Income Tax to 10*d.* Moreover, besides raising the Income Tax to 10*d.*, we had likewise provided that instead of raising half the tax in the year that we should raise three-quarters in the year. So that the effect was exactly the same as if, with the old method of collection, we had asked Parliament to put 7½*d.* additional upon the Income Tax. That is what my right hon. Friend quotes against me as a year when I was giving away taxes at the rate of £2,600,000. I will now give the House my figures, and I think they will rather surprise my right hon. Friend. I am bound to say that I cannot stick to them for £10,000 or £20,000, as after this lapse of time it is impossible to make sure of small sums, and so obtain a result of precise accuracy; but to the substance of these figures I will stand, and as we shall have various other opportunities of referring to this matter, this will probably not be my last reference to the matter. The state of the case to which I refer was a very remarkable one. There had been an immense increase in the armaments of Europe, and a great stir here. I found, on entering Office, that the Accounts as first presented to me showed on balance a deficit of £9,400,000. That was assuming the Income Tax to lapse, and assuming the tea and sugar duties to continue at their peace rate. That was, perhaps, an excessive assumption. But assuming the Income Tax to continue, and to bring in £2,840,000, continuing it at 5*d.*, that deficit was £6,560,000. Yet, in face of that deficit I managed, according to my right hon. Friend, to give £2,600,000 in taxes away. If I did that, I was a great deal cleverer fellow than I take myself to be. Now, let us see how this comes about. We have £2,430,000 falling in from the lapse of Long Annuities, and to meet this £9,400,000, or I may call it, in round figures, £10,000,000, we had nearly £3,000,000 of resources. We took up the malt and hop credits, which found us £1,400,000, and we also took up the balances, I think about £1,300,000, or a total of about £2,700,000 or upwards. And now, what does the House think was the amount of taxes which we imposed, and I think I can challenge anyone as to the correctness of the statement? It was £8,775,000. We induced Parliament to raise the Income Tax to 10*d.* in the pound, and that produced us £2,824,000. We likewise brought in a third quarter of the Income Tax, so as to have three quarters instead of two quarters, and that gave us £2,821,000. We also induced Parliament to re-enact the war tea and sugar duties, giving us £2,301,000, and we imposed a number of other duties, the particulars of which may be seen set out in *The Statistical Abstract*, and which amounted to £2,030,000, without including the Income Tax. Taking those four items altogether, the total is £8,775,000, while the loss by remission was £2,415,000, leaving a balance of taxes imposed of £6,360,000, against the sum of about £2,700,000, which we got from resources other than taxation; and, consequently, we raised by taxation somewhere about two-thirds or three-quarters of the whole sum required for the services of the war —aye, and that by extra taxation, over and after reckoning every farthing of the taxes which we had remitted. Well, Sir, it appears to me to be not too much to say that these are statements which anyone can verify who will take the trouble to examine the rather complicated Returns of the Revenue; and I say that they are, in round numbers, strictly and accurately correct. We did lay down the doctrine that when there was a very heavy expenditure, something in the nature of a war expenditure suddenly arising, you might fall back on temporary resources, and we fell back on resources other than taxation to the extent of about one quarter, or somewhat more than a quarter of the whole charge. About three-quarters, or nearly so, was raised by taxation. That was a case in which, if we had asked Parliament to take £2,000,000 more for the work of improving the coast and the fortifications, Parliament would have refused. We had made such enormous demands, that I do not think it would have been reasonable to have demanded more. Then, if we had done so, we should have had to go a great deal further, and it was a time to act, not on rigid mathematical rules, but by a fair method of balancing the circumstances of the case. I affirm that the year 1860, instead of being a year of relaxed finance, was a year of rigid finance; and when I look back on it now, what really astonishes me is the facility with which Parliament was induced to make so heavy an addition as £6,363,000 to the burdens of the people. We did remit some amount of taxation. If we had not done so, we should not have maintained the Public Services; but they were induced to do what they did by the anticipations of the immense advantages which were anticipated from the French Treaty, and which, I am glad to say, were realized. If I put aside the question of direct taxation, and look at that of indirect taxation alone, there is not much difference. What we did with indirect taxation was this. We raised £2,000,000 or £2,500,000 by indirect taxation, making £4,130,000 of taxation imposed. We remitted at least £3,000,000 of indirect taxation, but lost by our remittance £2,180,000 in indirect taxation, so that we gained by our operation £2,028,000 on indirect taxation, considered apart from direct taxation. With regard to the year 1860, that year was a very unfortunate year, in which the Revenue failed to a large extent. That, of course, could not be foreseen, nor could the large surpluses which afterwards flowed in. It only shows that the Revenue of the country is a subject of far more comprehensive interest than could be included in a mere argumentative speech such as that in which I have dealt with it. The Revenue of the country has within the last few years assumed a solidity which must have astonished those who had to contemplate it in its former state. About 15 or 20 years ago the mere event of a bad harvest was sufficient to make a bad Revenue, and to throw the Chancellor of the Exchequer into difficulties. Now it has grown to such an extent that it requires great prolongation of distress as well as a bad harvest, even seriously, or at all heavily, to affect the Revenue of the country. But that is not the question. The question is not whether the Estimate of 1860 was verified or not. The question is, what is the finance which was submitted to Parliament, and sanctioned by Parliament? and my affirmation is that instead of remitting, as my right hon. Friend supposes, a very large amount of taxation over and above what we imposed, we imposed a very large amount over and above what we remitted; and in proof of this I refer to the statement which I hold in my hand, which shows, imperfect though it be, that the amount of taxes—where the money lost by remission is clearly seen —the amount over and above that, I say, is about £6,000,000.

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry that some remarks he made the other night had caused his right hon. Friend to take the trouble of preparing the speech to which the House had just listened; but, at the same time, he could not regret, on the whole, that they had heard from his right hon. Friend a speech on the financial policy of the year 1860, with which he was most familiar. He wished, at the outset, to have it clearly understood that in what he said a few days back he did not intend to impute any blame to his right hon. Friend for the financial policy of the year to which he was referring for the purposes of argument. All that he endeavoured to show was, that the finance which he recommended to the House, and which was severely criticized by the right hon. Gentleman, might find, at all events, some palliation, if not justification, by reference to the finance of the years to which he (the Chancellor of the Exchequer) alluded. The point of his argument was, that the finance of that period was so arranged that large remissions of taxation took place, and, at the same time, money was borrowed and charges were made upon posterity which he thought might have been avoided, and would have been avoided, if the same strict rules had been enforced that were attempted to be imposed upon him. He could not help pointing out that he was at the present time paying the expense of charges which were then incurred, and which had been thrown upon the future in the form of Terminable Annuities. He, however, confessed that he sincerely regretted having been in error in regard to one important point to which his right hon. Friend had referred. A statement had been drawn up for him by a gentleman conversant with these matters—a gentleman in whom he believed the right hon. Gentleman himself trusted—[Mr. GLADSTONE: Hear, hear!] but the mistake he fell into was his own. The document was drawn up in order to show how much charge the right hon. Gentleman was throwing upon his successors in the office of Chancellor of the Exchequer, at the same time that he was remitting taxation for those for whom he was himself at that time administering the finances. He had statements given him year by year showing what the amounts were for fortifications, and what, at the same time, was the amount taken off taxation; and he found that in the first years of the Returns given to him the Government borrowed for fortifications £970,000, and they took off taxation in excess of those imposed to the amount of £2,609,000, and having in his own mind that it was in 1860 the fortification loan was instituted, he had applied those figures to the year 1860 instead of to the year following—namely, 1861-2; that was an error into which he fell. It appeared that in 1860 a very small loan was raised on behalf of fortifications. As a matter of fact, sums were borrowed year by year for fortifications, and he believed that there were remissions of taxation. [Mr. CHILDERS dissented.] Well, he should have the figures verified; he was explaining the error into which he fell, and which he had just discovered. Although that might be taken to be very material as to the particular statement he had made, it did not affect, as it seemed to him, the general argument which he was founding on the finance of that year and the dealings of the then Government in the matter of these particular loans. With regard to that year, he did not think it at all necessary to go into that marvellous calculation which his right hon. Friend entranced the House with at the time, when he horrified them by piling deficit upon deficit until he had raised it to the enormous sum of £9,400,000, which he then proceeded to deal with. That was considered at the time a great work of art, and they had seen to-day how it still appeared. What did occur at that time was that his right hon. Friend having to deal with a state of finance which threw a considerable burden upon the Exchequer, nevertheless did come forward, and did propose to make large remissions of taxation in connection with the French Treaty, and far beyond those demands. Those were very considerable reductions, made for the benefit of the country; but, at the same time, to enable him to make those reductions, the right hon. Gentleman would hardly deny he thought himself justified in having recourse to transactions in the nature of borrowing. [Mr. GLADSTONE: No.] It was all very well to say "No;" but he must insist upon the fact that it was not only in July of that year, but in February of that year, in the arrangements which the right hon. Gentleman made, that he did introduce other arrangements besides those of merely meeting the deficit by taxation. The right hon. Gentleman said—"Very well; but this was a matter of Exchequer Bonds." Exchequer Bonds were treated with great contempt now; but that was what he was seriously accused of now. He proposed to defer to another year certain Exchequer Bonds which fell due to be paid this year. The right hon. Gentleman did exactly the same thing in 1860; and it seemed that what was a very wrong thing in 1879 was to be treated as right when done by the right hon. Gentleman in 1860. He was not comparing the circumstances in one year with the circumstances in the other. They differed almost in every respect. That was a point made by the right hon. Gentleman just now—that in these cases you must not go by rigid rules, but exercise a discretion; and as the right hon. Gentleman claimed, and fairly claimed, and was allowed by the general assent of a large portion of the House and the country, to exercise his discretion, he thought that the Government ought not to be tied and bound by rigid rules from exercising discretion now. The circumstances in which they were placed were these:—They had incurred a considerable expenditure—not an enormous expenditure—within the past two or three years for warlike purposes. The Government thought that they were justified in spreading that over a period of a few years—three years were first spoken of; but in consequence of the increased amount four years were proposed. He was ready to maintain and justify the assertion that this was a better arrangement for the country, that it was more for the convenience and advantage of the country that expenditure of this kind should be so met, than that it should be met by putting on additional taxation for this year, and taking it off again next year. He was entirely opposed to the idea, which had been advanced from the other side of the House, that the Government should apply the Income Tax in the same way as rates were used in municipal bodies—that the Expenditure of any one year being ascertained, they ought to make the Income Tax higher or lower, according to that Expenditure. That was a corollary he could not approve drawing; but it was a corollary which might reasonably be drawn from the doctrines laid down. He must protest against the principle. The right hon. Gentleman and others had done him the honour to refer to the doctrines which he had formerly stated in financial policy, and he was accused of falling away from his opinions in order to meet the convenience of the present moment. He utterly denied it; and he said if anyone did him the honour to refer to the book which related to the war expenditure to be met in 1854, it would be seen that the views which he there laid down were very much in harmony with the course he proposed to take now. The House should bear in mind the great difference that existed between our financial situation at that time and that which existed now. They had now a very small number of sources of taxation; and it was impossible to deal with them in a way in which formerly they were able to deal with their fiscal system, when they had an enormous number of articles subject to duty which they were able, at convenient opportunities, to relieve of duty, very much to the advantage of the Revenue. In 1860, when his right hon. Friend made his great Budget, there were about 500 articles subject to Customs duty, and he struck off 450 from the list, very much, no doubt, to the advantage of the country, as well as to the consumer. When he was asked, "Why don't you do the same thing?" he replied that they had only now some 20 or 30 articles on the list, and they could not repeat the operation, for the thing was done. How, then, were they to deal with the question of raising taxation in any particular year? He must remind hon. Gentlemen of the disadvantage there was to the country in adding merely for a year—or, may be, for two years—to the taxation of various articles from which they now derived a great part of the Revenue. Hon. Members must see that that operation ought not to be undertaken for a mere temporary purpose, unless there was an absolute necessity. What did the Government do? Two years ago, as he reminded the House the other night, they brought their taxation up to what was considered to be a fair level to meet ordinary Expenditure. Last year, when they had a war expenditure, or a *quasi*-war expenditure, to deal with, he proposed to the House—and the House agreed to it—to add to the Income Tax and the tobacco duties, and thus make provision for the extra expenditure; and they were carrying that increased taxation on now. The right hon. Gentleman said he (the Chancellor of the Exchequer) was not adding to the taxation of the year; but if he adopted the method of calculation adopted by the right hon. Gentleman in 1860, he might claim that he was putting on taxation by renewing those imposed last year. In fact, he was asking the House to maintain, for such time as might be necessary, the higher war duties on the Income Tax, in order to cover the expenditure for warlike purposes. That was exactly what was done in 1860; and he could, therefore, quote that as a precedent for the step he had taken. He need not trouble the House any further. He was prepared to maintain that the course the Government were now recommending was one for the advantage of the country; that it was the proper one; and that it was perfectly consistent with the strictest principles of financial morality.

SIR WILLIAM HARCOURT said, he should not have presumed for a moment to intervene between the two great masters of finance in the House, or to enter into the details of the Budget of 1860; but there was an authority so pertinent to the subject they were discussing—namely, the general principle which ought to govern war expenditure—that he would ask the leave of the House to call attention to it. The Chancellor of the Exchequer had referred, not only to the precedent of 1860, but to the precedent of the Crimean War in 1854. Would the House allow him to call attention to a passage which described what was then the policy of the Liberal Party, and what was then the policy of the Conservative Opposition? It was a passage in which he so entirely concurred, that it seemed to be all he had to say. It was as follows:—

> "The next Party conflict in the House of Commons will be upon finance. Gladstone wants to pay for the war out of current Revenue so long as he does not require more than £10,000,000 above the ordinary Expenditure, and to increase the taxes for that purpose. The Opposition are for borrowing—that is, increasing the Debt, and do not wish to impose in the meantime any further burdens on themselves. The former course is manly, statesmanlike, and honest; the latter is convenient, cowardly, perhaps popular. *Nous verrons.*"

That was dated Windsor Castle, 18th of April, 1854, and the author of those sentiments was the late Prince Consort. That showed that the policy now proposed was not a new policy. It was the old policy of the Conservative Party—the policy of not meeting their liabilities. The manly policy was that which was pursued by the right hon. Gentleman (Mr. Gladstone) in 1854, up to which time he believed the Chancellor of the Exchequer was a disciple of the right hon. Gentleman; and it was not until a later time that he became the official Representative of the opinions expressed in that passage about the Conservatives. That was the real issue before the country and between the two Parties. It was the fact that it was the policy of the Conservative Party to incur liabilities and not to meet them. He might be accused of using strong language; but it was language which was to be found in the work placed before the country for its instruction on many points: and he thought there was contained in that passage the soundest possible doctrine on the question of finance.

MR. LOWE said, that he had not troubled the House with any observations on this question before, because he did not wish to mix up what he had to say with any matter relating to the general policy of the Government; but as he had had the honour of holding the office of Chancellor of the Exchequer, he felt bound to express his sincere convictions on the subject, not dealing in any way with any Party whatever.

He would state the objections he took to the proceedings of the Chancellor of the Exchequer. First of all, the Chancellor of the Exchequer began by a proceeding which he could not too much deprecate, and that was the division of the Budget into two parts—ordinary and extraordinary. The Chancellor of the Exchequer commenced by setting aside a certain portion of money to be applied for the ordinary part, and he left, he believed, some £1,900,000 to be dealt with in the extraordinary part. Mere words would do no harm; but the effect of the division was that, whilst the Chancellor of the Exchequer felt himself bound to discharge the obligations—he (Mr. Lowe) had no doubt to give them the best estimate he could of the expenses which were to be incurred for the ordinary part—he gave them no account whatever of the expenditure for the extraordinary part. The doctrine he (Mr. Lowe) had always maintained was, that though it was difficult, almost impossible, to estimate to any nicety the amount that might be incurred, it did not in any degree exempt the Chancellor of the Exchequer from making an attempt—going as nearly as he could—to provide for the Expenditure. He held that the only security they had for anything like economy in this matter was by putting the greatest possible load of responsibility on the Chancellor of the Exchequer. He took the liberty of addressing the House on this subject a little time ago, and he would not repeat what he then said; but if they allowed a Chancellor of the Exchequer to play fast and loose with the finances, and allowed him to make divisions and subdivisions in the Estimates, and say—"For one I estimate, for the other I cannot," they would lose the only hold they had over the finances, and they would leave it to the Government of the day to rush into any expense they thought proper. He might say that, so far as his own affairs were concerned, he had never attempted anything of the kind. When he was in office he always made an Estimate which, he believed, proved in every instance to be adequate, and he was asking his successor to do that which he had felt it his bounden duty to do. They would see that a sum of £2,000,000, in round numbers, had been set apart for extraordinary Expenditure, and out of that they were to pay for the Zulu and the Afghan Wars. It was assumed by the Government that if they cost more than that they could not help it; but there had been no Estimate, and he asked why the sum of £2,000,000 was set down more than any other sum? If right hon. Gentlemen were allowed to manage their finances in this way, the necessary result must be that every man must be blamable to his Party who did not make it a point to have an extraordinary Budget when he was going out of office. It was not merely that the Chancellor of the Exchequer might spend any amount of money he pleased, but he left to his successors the unpopularity of providing for the money; and thus, unless the Chancellor of the Exchequer spoke precisely as to the Estimate he was about to spend, they had no security whatever over their finances, and all this talk was mere beating the air. Another thing he had to complain of, and that was that the Chancellor of the Exchequer was about to lend India £2,000,000 sterling; but he did not find such an item either in the ordinary or extraordinary account. The fact was, the Chancellor of the Exchequer had not the £2,000,000 he was going to lend, and it was not a strange inference, therefore, that he was going to borrow the amount.

THE CHANCELLOR OF THE EXCHEQUER: I beg pardon. I did state that we made provision for the interest, and this would naturally lead to the impression that we were going to borrow the amount.

MR. LOWE said, the right hon. Gentleman had made provision for the interest, but they had to borrow the principal. He wanted to know where the principal came from? To provide for the interest was not a part of their Expenditure, and it ought to go to swell up their deficiency. Then, again, if the money was to be repaid by India, who was to pay the interest? Why, the Government at home. He would like to know whether India was solvent or insolvent; because if she were solvent why did she not pay the interest, and if she were insolvent why did not the Government place the case fairly before them? These were all very ingenious transactions; and what he deprecated, above all things, was ingenious finance, whose object was not to enable the country to discharge its debts, but to mislead the House and to prevent the country from understanding it. The Chancellor of the Exchequer had said there were three courses open to him: to raise the money by taxation, to borrow it—making it part of the permanent debt of the country—or to spread it. That seemed to him a curious way of making three courses, and he should have thought there were only two courses—to raise the money by taxes, or to borrow it. But the Chancellor of the Exchequer appeared to have split it into three, in order to show that he had taken the *via media.* Having made this wonderful division, he rode off upon the glorious statement that he had taken a moderate course. He had no complaint to make of the way in which the right hon. Gentleman treated the whole subject. He had laid down a number of rules for guidance on this subject—that care must be taken that the country's finances did not fluctuate; that trade must not be disturbed by the imposition of new taxes; and that nothing was more objectionable than to be always putting taxes on and taking them off. Then the Chancellor of the Exchequer spoke, with a certain degree of scorn, of what he need not have been in the least touchy about, for he was above the feeling of putting taxes on one year in order to make a grand remission the next. He would notice, in passing, the sneers the right hon. Gentleman had directed at himself with regard to the calling up of the Income Tax, which he (Mr. Lowe) effected during his period of office. He could only say that if the right hon. Gentleman could have effected that operation he would have found it a very beneficial one, because he would have had no question then about the middle course. That operation cost the country nothing, and it was a permanent relief of £3,000,000, which the country had been enjoying ever since. What the right hon. Gentleman said was true in one sense. It was right and proper to avoid fluctuations in our Revenue; but the fault he found with the Chancellor of the Exchequer was that he applied his doctrines, which were perfectly true in themselves, in the wrong places. If the Government did not want a fluctuating Revenue, and did not want to be borrowing money, they must follow a steady policy. When they had got the Expenditure larger than the Income, this doctrine of the Chancellor of the Exchequer was utterly inapplicable. The Government could not, he contended, be too careful as to entering upon any transactions which must necessarily inflict a heavy burden on the people; but that was not the question at issue on the present occasion. Whether money had been expended wisely or unwisely, there should be steady fixed rules with regard to its payment, from which nothing should induce a Chancellor of the Exchequer to depart. The first rule the Chancellor of the Exchequer ought to observe was that every year should bear its own expenses as long as it was possible to do so. It would have been perfectly possible for the country, with a slight increase of taxation, to have borne its Expenditure this year without going into debt; but it was extremely convenient and popular, no doubt, that certain payments should be postponed until proceedings in which every constituent, and every Representative of a constituent, were much interested had passed over. But that was not a patriotic course; it was not a wise course; but it was a course that might become, if allowed to pass without reprobation, an established course, so that every Government would feel it its duty, when it found its later days drawing on, to leave to its Successors a legacy which, at any rate, would prevent them from acquiring any laurels by a remission of taxation.

MR. RITCHIE considered that the Government had done very wisely in declining to increase the burden of taxation, seeing the state of trade in the country. Looking at the large sum now paid towards the reduction of the National Debt, they should remember that the country was every year thereby becoming sounder in its financial condition. The right hon. Gentleman opposite (Mr. Childers) had compared the amounts by which the late and the present Governments had respectively reduced the Debt, and had claimed for the late Government a much larger reduction than that effected by the present Government; but on looking at *The Statistical Abstract* it would be seen that the late Government effected a reduction of £26,200,000, of which £6,000,000 was extinguished by the balances of the Courts of Bankruptcy and Chancery, leaving a net reduction by the late Government of a little more than £20,000,000, as against £19,200,000 of reduction by the present Government—a balance in favour of the late Government of only £800,000. But, said the right hon. Gentleman, in addition to having paid off so much of the Debt, the late Government paid large sums for extraordinary charges. They paid £8,300,000 for war charges and for the Alabama Claims; but the present Government had paid £8,375,000 — almost an exactly similar sum for similar purposes—for war purposes and for preventing war. The late Government, it was true, paid £10,000,000 for the Telegraphs; but the present Government had also paid £1,000,000 for the same object, and they had provided, in excess of that provided by their Predecessors, £8,167,000 in aid of local taxation, while £6,000,000 more had been spent on education. He took the figures from a Return obtained by the right hon. Gentleman the Member for Pontefract (Mr. Childers). The net result was, that one Government proved, on examination, to have reduced the Debt by £800,000 more than the other; but, taking extraordinary charges into account, to have provided £1,167,000 less, on the whole. The right hon. Gentleman had said that the late Government had reduced taxation by the amount of £13,500,000; he believed that £12,500,000 was the more correct figure; but, at any rate, the right hon. Gentleman the Member for the University of London (Mr. Lowe) would probably admit that £4,500,000 was gained by taking five quarters in one year; so that, deducting that amount, the real reduction would be no more than £8,000,000. In short, the whole charge as to the Debt and extraordinary Expenditure came, on examination, to this—that while the late Government were able, in consequence of the prosperous state of the times, to reduce taxation by £8,000,000, the present Government had had to impose £1,000,000 additional taxation; but, taking the Debt and extraordinary charges together, they had provided £1,167,000 more than their Predecessors.

Mr. CHILDERS said, he most reluctantly went again over ground so well trodden in the former debate; but as the hon. Member for the Tower Hamlets (Mr. Ritchie) had thought it necessary again to refer to remarks he had made at Knottingley, in November last, he could only repeat that the figures he used were those of the printed Returns; that his comparison between the incidence of the tea duty and of local rates referred to additional boons demanded by the landed interest; and as to the Debt, that the late Government made a greater impression on it than the present by £3,500,000 a-year, according to the most favourable comparison for the latter. He had said that, in this comparison, he put aside altogether the charges of the Abyssinian War, the Ashantee War, and the Alabama Claims; but if they included them the difference would be still greater, as these were met without either additional taxes or increase of Debt. Going to another matter, which had been raised in the present debate, it would be ungenerous, after the admission of mistake on the part of the Chancellor of the Exchequer, to refute again his account of the Budgets of 1860. But one simple comparison disposed of the presumed analogy between the present financial proposals and those of that day. For 1878-9 the Revenue was taken at £64,000,000, and for 1860-1 at £72,250,000. Yet, with this sudden increase, necessitated by augmented military charges, the revised Budgets of 1859 and 1860 contemplated no increase of Debt. The entire deficiency of 1860-1 was to be met out of the surplus of 1859. No doubt, the result was disappointing; but that did not affect the principle of the two Budgets.

Sir GEORGE CAMPBELL said, that in the early part of the Sitting he had given Notice of an Instruction to the Committee in reference to the Property and Income Tax, but he understood that it would be irregular to move it. His object was to ensure the adoption in this country of a system similar to that of America and other countries, by which taxes were levied upon property according to the necessities of each year, and so adjusted as to distinguish between property and income. He had paid a good deal of attention to the subject; and, having lately made a tour in the United States of America, had found that there was a great dissimilarity between their side of the Atlantic and the other. In England property was put out of the account altogether, and the tax was put solely upon income. In America they took no account of income, but put the tax on property alone. He did not advocate such extremes; but thought that a mean might be found between them. He desired to see a tax adopted as the national rate, which should be laid separately upon property as such and income as such, instead of being lumped together as at present; this tax to be so adjusted as to meet the expenditure from year to year, and to fall fairly upon all classes not otherwise sufficiently taxed. This would enable all indirect taxation, except such as was levied upon vicious and detrimental luxuries, to be removed. He classed all alcoholic liquors as detrimental. With regard to tobacco, it was a somewhat debatable ground; but, upon the whole, he thought that it did not do much good, and he considered it might fairly be classed among the detrimental luxuries. No doubt a great deal of our taxation was raised upon what he had called vicious and detrimental luxuries. They raised £33,000,000 upon alcoholic drinks and £8,000,000 upon tobacco, making altogether £41,000,000 upon these two products. In regard to tea and coffee, upon which they raised £4,500,000, there might be some question. Some people thought tippling on tea bad; but, on the whole, these might be classed as harmless. There was only one more subject of indirect taxation regarding which he thought there could be no matter of doubt, and that was the tax upon currants and raisins, which brought in a return of £700,000. It seemed to him that that was a luxury of the poor which ought not to be taxed. Sweeping away, then, the tax on innocent luxuries, he would make up the balance of last year by a property and income tax. The system of taxation which he advocated would be fair and equitable, and would oblige rich possessors of personal property to contribute their due share to the Revenue, which was not now the case. He concurred in the opinion of those who held that the Expenditure of the year should be met by the taxation of the year; and he thought that, with the Income Tax at the moderate rate of 5*d.* in the pound, we had at our command the means of raising the money we required for that purpose by a fair adjustment of the burdens on income and property, without imposing an excessive rate.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

Resolved, That it is expedient to amend the Laws relating to the Customs and the Inland Revenue.

Resolution to be reported *To-morrow,* at Two of the clock;

Committee to sit again upon *Wednesday.*

SIR WILFRID LAWSON asked when the Government were likely to take the second reading of the Customs and Inland Revenue Bill, which stood on the Paper for Thursday?

THE CHANCELLOR OF THE EXCHEQUER said, it was proposed to proceed with the Army Discipline and Regulation Bill on Thursday, if his right hon. and gallant Friend (Colonel Stanley) were able to attend on that evening; but he could not now positively fix the time when the second reading of the Customs and Inland Revenue Bill would be taken.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.

(*Mr. Attorney General, Mr. Secretary Cross, Mr. Solicitor General, Mr. Attorney General for Ireland.*)

[BILL 117.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

SIR HENRY JAMES, in referring to the small number of hon. Members present, stated that he was aware that many of his hon. and learned Friends were anxious to have taken part in the discussion upon this Bill, which had come on in rather an unexpected manner, the right hon. Gentleman the Chancellor of the Exchequer having stated a few days ago that he could not tell exactly when it would be brought forward. He should certainly have expected that the second reading of such an important measure would not have been taken without Notice; nevertheless, he should not feel justified on that occasion in moving the adjournment of the debate. He should, however, briefly state his view of the subject. The measure appeared to him to be a great advance upon that of last

Session; and it was evident that the Commissioners to whom it had been submitted had discharged their duty carefully and with great ability. He thought, in these circumstances, that but few would wish to subject the majority of the provisions of the Bill to a lengthened criticism. Looking at the Bill, as a whole, it seemed to him that its acceptance by the House would be a great public benefit. So far as he could assist in the passing of the measure, the Government would find no undue opposition from him, and he trusted that no unnecessary obstacle would be thrown in the way by hon. Members on his own side of the House. But there were clauses which required full and grave consideration, and which contained a good deal that was new. The House was aware that by the Bill all repression of crime by means of Common Law must cease, and that there would exist simply the protection given by that measure and by those Statutes which were unrepealed. For his own part, he would be rather disposed to keep the Common Law in existence still. The Bill, also, was not complete. It should either be a codification or consolidation of the law to every purpose, or it should not exist at all. But this Bill was incomplete as a Code or Consolidation Act; for instance, in it there was no mention of such an assembly as that which was repressed by the Irish Convention Act; though he (Sir Henry James) knew that popularly—and especially among the working classes—there was a strong desire to have a complete codification, so that they might know what the law really was. Power was given to the Judges to regulate procedure, pleading, and practice, without the consent of Parliament having been obtained, and he considered this likewise extremely undesirable. Indeed, when the fitting moment came, he should ask the House to discuss whether it was disposed to delegate so important a function of its own to others? The Bill, in the 13th clause, contained a provision in which he could not concur. It was one which would give power to a Judge, in any case where he considered that the offence charged, even if committed, deserved merely nominal punishment, to discharge the prisoner without a verdict. That was a very great power to place in the hands of a Judge. He would suppose the case of a Judge who thought, for some reason, that the Legislature had exercised a wrong discretion in rendering certain Acts criminal. In such a case, the power vested in him might be exercised. Then, again, there might be political prosecutions; and if the Judge entertained strong views on one side or on the other, he might, by virtue of this provision, prevent the case going to the jury. Theoretically, the clause conferred a power in favour of the Crown which might be arbitrarily exercised. It might be said that in many cases it would be a hardship to convict a man for a trivial offence which would deserve merely nominal punishment; but in such a case it should be left to the counsel for the Crown to withdraw, or to the jury to acquit. Then, again, by Clause 537, it was sought to give the Attorney General for England a new power—namely, that of staying criminal proceedings at any time before trial on his own motion without investigation. The clause, if adopted, would make the Attorney General master of every prosecution, and would enable him, if he thought fit, to prevent any person prosecuting in the name of the Crown. He was very unwilling, on the Motion for the second reading of the Bill, to go into a discussion of its clauses; but he could not help pointing out that it seemed to be very imperfect in its definition of offences. By way of example, he would mention the definition contained in Clause 216 of the crime of bigamy. Bigamy, it said, was to mean the act of any person who while any valid marriage, wherever contracted, subsisted between himself or herself and any other person, went through the form of marriage with any other person in any place in any part of the world. The result of that would be that a British subject born in India—a Mahomedan or Hindoo—who might legally in his own country marry more wives than one, might be prosecuted for bigamy if he visited this country. There was this further provision—that even belief, with cause for belief, in the death of wife or husband occurring more than seven years before the contracting of a second marriage would not protect a person from being prosecuted for the crime of bigamy, if it happened that the first wife or husband was living at the time of the second marriage. To this view of the law he strongly objected. The provisions of the Bill in relation to unlawful assemblies and rioting also appeared to him open to objection. In reference to the former, the learned Commissioners stated in a memorandum that their definition probably went a little further than the present law. It appeared to him to go a great deal further. If three persons met to carry out a common purpose, however good, and if they conducted themselves in such a way as to cause any person in the neighbourhood, however timid or foolish, to fear a disturbance of the peace, those three persons could be held to constitute an unlawful assembly, and might be liable to a year's imprisonment. But even that provision was harmless compared with the one on rioting. If a Justice of the Peace approached a gathering of 12 persons as near, in his own estimation, as he could safely come, which might not be within earshot at all, and read the Riot Act, those 12 persons, although they might not know that the Riot Act had been read, if they did not disperse, would be liable to penal servitude for life. These instances would suffice to show that the Bill, although, on the whole, framed with a care, a consideration, and an ability which entitled the learned Commissioners to their best acknowledgments, was, nevertheless, one which ought to be received with great caution, and carefully scrutinized. Among minor matters calling for attention, he might point to the great amount of power which the Bill granted to the Court rather than to the jury. There was this further point to be considered—whether the punishments under the Bill were not, in many cases, too heavy in proportion to the offences. Even in cases where the same punishments had existed before, the House ought not, therefore, blindly to accept them. With regard to whipping, he should be sorry to see enacted, or re-enacted, so many instances of that corporal punishment for offences without due deliberation. These were some of the matters which he thought would form the subjects of discussion when the House went into Committee on the Bill. He believed that the measure, whether amended then or after further consideration, would prove beneficial to the public. The difficulty, however, of passing in one Session a measure of some 600 clauses, many of them pregnant with important matter for discussion, was obvious. Hence the suggestion he made, which his hon. and learned Friend the Attorney General seemed rather to have misunderstood, that the Bill should be disposed of in parts, Parliament taking up the work of revision one Session at the point where it had been left the previous one. He trusted his hon. and learned Friend would not insist upon the whole Bill or none this Session; but he could assure him that, in making the suggestion he did, he was animated by no feeling of hostility to the Bill, but only by a desire that the House should not overlook in it any point worthy of its attention.

MR. GRANTHAM thought the speech which his hon. and learned Friend the Member for Taunton had just delivered was the best answer that could be given to that which he delivered a few nights ago. The objections he had urged might be met by Amendments which, when placed on the Paper, would be considered by the Government. Many of them, no doubt, would be accepted; but they would not require much discussion, and in that way very great progress would be made with the Bill. A Bill of this description could only be competently discussed by legal men; and having undergone the most careful consideration for three or four months of some of the most eminent Judges, it was not necessary that the clauses should be discussed over and over again. If everyone who spoke kept to the point, he did not see why they might not in seven or eight nights dispose of all the main points of the Bill. With regard to bigamy, for instance, the objection of his hon. and learned Friend might easily be disposed of by an Amendment which he might place on the Paper at once. And so on, with regard to Rules and Orders. It would not take long to discuss that matter. He thought it most desirable that a large discretion should be given to the Judges to order whipping, as the infliction of that punishment had proved very beneficial. As to Judges discharging prisoners without passing sentence, that was giving them only a little more extended power than they had at present, when they could discharge them upon passing a nominal sentence. In conclusion, he hoped that hon. Gentlemen who took part in this discussion would follow the example of the hon. and learned Member for Taunton, and make short speeches, so that there might be a possibility of passing the Bill this Session.

MR. HOPWOOD remarked, that this Bill was a great improvement on the Bill of last Session; it was more simple in language, and went more directly to the point. They might, therefore, congratulate themselves that they had not been induced to pass the Bill of last year *en bloc*. The Bill, if passed, would be a great act of legal reform, which would reflect lustre upon the Session, and be a great advantage to the public. He feared, however, that at the "Massacre of the Innocents" the Bill would be found to take its place in the limbo of abandoned Bills. But in that case it would be the Government who would be responsible. They could pass it by declaring it to be their winning horse, and if they did so he would give them all the aid in his power. They could pass it by saying they thought much more of it than of the Army Discipline and Regulation Bill, the Bankruptcy Bill, or the many other Bills which, if persevered in, would be obstacles to the passing of this measure. Seven days of Parliamentary time had been spoken of for passing the measure. But where would they get seven days? If they meant to pass the Bill, they ought to put it in the front of battle; but he did not see any sign of that. They had begun the discussion to-night by an accident. The measure had been seven or eight months before the Commissioners, but it had been before the House only a month. He was not going to act on the servile doctrine that because Judges had gone through it he must take the measure on trust. Judges had too great a proneness to settle things as matters of arbitrary law. On the perfection with which the House did its business in discussing this Bill during the present Session the law of England would probably depend for the next 20 or 30 years. They were opening up, not questions of mere technicality, but matters of vital concern to everybody in the community. He trusted that the non-legal Members of the House would take part in the discussion of the clauses. In the case of infanticide a new offence was created, and this was a subject which would certainly give rise to considerable discussion. The Bill professed to be a Code. In his opinion, however, a Code ought to be complete; whereas this was an incomplete one, for one section expressly said that people indictable under other Statutes were to remain so. Would his hon. and learned Friends the Law Officers of the Crown state what Statutes were, to their knowledge, outside the present measure? The question of examining prisoners, again, was said to be likely to be debated at considerable length. He thought the Bill ought to have been dealt with by a Select Committee of that House, and not by an extraneous body, however eminent.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, he was anxious to disabuse the minds of hon. Members of the idea that the Government was desirous that this Bill should pass without full consideration. The House was not asked to accept the measure without a complete examination. What had been done with advantage to the House was, that trained lawyers and distinguished Judges had gone through that which they believed to represent the Criminal Law of this country, and had presented to Parliament the result of their labours. But the House was not called upon to take the result of those labours without careful examination. It was admitted by the last speaker that this Bill would effect a great legal reform and confer a benefit on the whole community; but, then, many of the observations he had made seemed to have been intended to show the impossibility of passing any Code whatever, and that they must at once abandon their attempt, because the magnitude of the subject was so great that it could never be submitted to complete discussion. Now, there was a great deal of that measure which would be accepted by the legal Members of the House without discussion—that was to say, the Code, as presented to them, would be taken to represent to the minds of lawyers that which was the existing law. Of course, there were some points on which differences of opinion would arise. The hon. and learned Member for Taunton had suggested one of them. But that was a matter for discussion when, they went into Committee, rather than upon the second reading of the measure. What was the mode in which they were to deal with the Bill? If the House were to go through the whole of the Criminal Law of England in order to see whether it could not amend every part of it, it would be impossible to pass any Code. But if the Bill were approached in the spirit in which the hon. and learned Member for Taunton (Sir Henry James) had approached it, the work before them might be accomplished, and the real points of difficulty which would arise would be found comparatively few. With regard to the definition of bigamy, to which the hon. and learned Member for Taunton had referred, the object of those who had framed this Code was not to alter the law of bigamy, but to present it in a form in which it should represent the existing law of England; and those who had charge of the Bill would be only too glad to accept any verbal Amendment which would bring the definition of bigamy contained in the Bill into closer conformity with the existing law, if it was really faulty. He could not, however, concur, on the question of principle, with the hon. and learned Member for Taunton's view of the law of bigamy. The hon. and learned Member for Taunton appeared to think that an honest belief that the first marriage had been dissolved by death, although the second occurred within the limit of seven years, was a complete defence to a charge of bigamy. Now, he did not believe that was the law; but thought that, for wise purposes, the Legislature, considering the importance of the marriage tie and the ruinous results to the supposed wife and children which might ensue from the supposed marriage, had made the law of bigamy very strict. And though the question might not be free from doubt—and Judges had differed about it—that was a subject which might be fairly discussed in Committee, and was certainly no reason why they should not attempt to define what the law of bigamy was. On the contrary, if there was one branch of the law more than another as to which uncertainty was an evil, it was that relating to marriage. Then, again, with regard to unlawful assemblies, if the definition contained in the Bill was wrong, any hon. Member could propose in Committee to amend it. If they were to postpone the consideration of such a measure as this till some happy Session which would be so perfectly free from other and more exciting topics that the House could devote all its time and attention to the passing of a Criminal Code, they would have to wait till a time very closely resembling the Greek Kalends. He thought, therefore, that they had better apply their minds to the work now that it was actually before them, even although the audience might be thin, as it was apt to be when strict questions of law were being discussed. He admitted that the definition of the law of murder, as to which there was considerable difference of view, could not be disposed of without discussion. To leave so serious a crime undefined was attended with very grave inconveniences; and now that a Bill was brought forward which attempted—with what success would be seen by-and-by—to define it, the House would do well to give it their best consideration. The only chance to obtain uniformity in the law was by the adoption of a Code. His hon. and learned Friend the Member for Taunton objected to the authority sought to be given to the Judges to frame rules as to practice, pleading, and procedure. Such a power they exercised already; and if it were decided that those rules should be the subject of enactment and be embodied in the Bill, what possible hope, he asked, was there that the Bill could pass this Session? It was, in his view, sufficient that the rules should be laid before Parliament, and that anyone of them could be objected to. The hon. and learned Gentleman opposite (Sir Henry James) expressed a desire that the Bill should pass, and yet he was in favour of putting it off to another occasion. In that suggestion Her Majesty's Government could not concur. The law ought to be certain; it ought to be known; and if it was disobeyed it ought to be enforced: and it was because the law ought to be known and enforced that the Code was presented to the House.

MR. MORGAN LLOYD regarded the Bill before the House as a great improvement on that of last year. It was capable of improvement; but, taking it altogether, it would, he thought, commend itself to every lawyer. Last year's Bill attempted to define everything, but really defined nothing; while the definitions of the present Bill were, upon the whole, accurate. What he would suggest to hon. Members on both sides of the House, and especially to every legal Member, was to go carefully through the Bill, section after section, and to put down opposite to each section what they objected to, and what Amendments they proposed; and, probably, no hon. Member would come forward with so large a number of Amendments as would seriously impede the progress of the Bill through the House. There were, however, defects in the Bill which ought to be removed. He thought it extended too far the latitude given to Judges. Under it, their discretion would range from such a punishment as penal servitude for life to the infliction of a day's imprisonment. A most dangerous power was also given to the Committee of Judges to frame Rules of Procedure. That extended to alterations in the principles upon which the Criminal Law was administered. "Procedure," as the Bill stood, included all the provisions relating to the conduct of a trial, the examination of witnesses, and even the examination of the prisoner, all of which were subject to be altered and modified by the Rules. He thought these powers should be limited and defined. He objected to that part of the Bill which enabled prisoners to give evidence, and was of opinion that the principle which it involved should be eliminated from the Bill and be subjected to discussion by itself. If that part of the Bill were removed, together with the provisions relating to a Court of Appeal, the chances of the Bill becoming law this Session would be improved. He intended to do all he could to facilitate the passing of the measure.

Mr. GREGORY thought the Bill a model of draftmanship, and although it would require alterations, they must be very carefully considered; otherwise the measure would be injured. He held that it was incumbent upon them to make the law, so far as they could, clear and intelligible, and that hon. Members should promote the adoption of the Bill by every means in their power. There was, he thought, a general concurrence admitting the value of the principles of the Bill, and he hoped that its provisions would be discussed in a liberal spirit. Hon. Members ought to consider how important were the matters with which the measure dealt; and he hoped that they would not deal with the details or Amendments as was sometimes done by the votes of those who had heard nothing of the discussion of them. Even if they worked hard, the Bill would consume considerable time before it was passed; as, no doubt, there were many details in it which would affect not only the liberties but the lives of the Queen's subjects, and these ought to be examined carefully, but with no obstructive motive. It had been said in some quarters that heavier penalties than could at present be inflicted were meted out to offences by this Bill; but it should also be noted in many instances the penalties were mitigated.

Mr. HERSCHELL hoped he should not be suspected of desiring to obstruct the Bill. He had a Motion on the Paper relating to the subject for a long time, and he therefore rejoiced when it was taken in hand. It was to be remembered that fair criticism on the second reading might be calculated to facilitate the passing of a Bill. The Government ought to keep in view the difficulties they had to meet, for they could not be evaded by ignoring them. It was no use thinking that the Bill would pass through the House without very considerable discussion, as he was quite sure that such a view could only be doomed to disappointment. It was true that the Bill was, in some sense, a codification of the law; but they could not be expected to codify obsolete absurdities, and, therefore, the Bill was, in a great degree, legislative. Even although they might not altogether like the Bill as drawn, unless they thought it would do wrong, they should abstain from indulging in verbal criticism; otherwise, it would be impossible to codify the law at all. In saying that, however, he wished the Government to remember that many objections would be taken to the Bill in detail; and unless they had taken that into account, he warned them that they had better abandon the Bill for the present year rather than waste time in discussing it. It was useless to think that the Bill would be easily got through. It was open to those who objected to capital punishment, and those who objected to flogging, to raise those questions; while the examination of a prisoner, which the Bill proposed to permit, and the Court of Criminal Appeal which it set up, as well as the extension of the jurisdiction of Quarter Sessions, must necessarily lead to discussion. He would, however, rather postpone codification than not deal with procedure and other matters which it had been suggested might be deferred. If the Bill was to be gone on with, it was inevitable that a good deal of time must be given to it. He did not for a moment say that the Bill was not satisfactory and extremely well done; but that was no reason why they should not criticize it in provisions which they thought objectionable. For example, he thought that the provisions with respect to bigamy might call for consideration. He quite agreed with the Solicitor General that the existing law with regard to bigamy was very much open to doubt, particularly upon the point with regard to seven years' absence. They had one decision one way, and one decision the other way, and the unfortunate fact was that the framers of the Bill proceeded upon the worst of those decisions, and the one least consonant with common sense. They had made it a criminal offence to re-marry within seven years, even with reasonable ground for believing that husband or wife was dead, if it should turn out not to be the case. And he could not conceive why the 64th section should make it unlawful for a man to take peaceable possession "by night" of that to which he believed he was lawfully entitled. In some cases, men could be more severely punished for a conspiracy to commit an offence than for actually committing the offence itself. This, he thought, was a defect which ought to be remedied. With regard to the pleading practice and procedure, he was of opinion that the Judges ought only to be allowed to settle by means of rules the details of the general plan which Parliament had laid down. He might add, in conclusion, that his sole object in making these few observations was to assist, and not to obstruct, the passing of the Bill.

SIR GEORGE BOWYER said, it was not the fact, as was stated by the hon. and learned Member opposite (Mr. Hopwood), that those who supported the Bill thought that it ought to be passed without discussion. On the contrary, he held that all the supporters of the Bill entirely concurred in the view expressed by the Solicitor General that the House should not accept the measure without complete examination. He (Sir George Bowyer), of course, entertained the greatest respect for the opinions of the learned Judges who had considered the Bill, yet it was not for the House of Commons to delegate its authority to Judges or anyone else; and it was the duty of the Members of that House to do the best they could as legislators, without any authorities whatever. The hon. and learned Member for Beaumaris (Mr. Morgan Lloyd) had started the idea of leaving out some of the most important parts of the present measure in order that they might be dealt with in a separate Bill; but he could not consent to that proposal, because, in adopting it, hon. Members would be abandoning the most necessary part of their duty; for the Code ought to be a complete *Corpus juris* of the Criminal Law of England, and unless it was complete it would be worse than nothing. Again, unless the whole measure were postponed, until the parts alluded to by the hon. and learned Member were settled, the remaining portion would be no longer a Code. It would be but an incomplete work, and the House would do better to let it alone. The hon. and learned Member for Durham (Mr. Herschell) had suggested that as the punishment of death was included in the Code great delay might arise, because anyone who objected to that punishment as an abstract principle, would raise a discussion; but the question whether it should exist was so large as to require separate discussion, and he would suggest to hon. Members who might have an objection to its infliction that in passing this Bill their opinion would in no way be compromised, inasmuch as there would afterwards be time to raise that great question which branched off into so many others, political, religious, and social. For if everyone was to ventilate, upon the discussion of this Bill, his own opinions and crotchets with regard to the punishment of death and other matters, it would be impossible to go on with the measure with any prospect of getting through the work either in the present or in any other Session. It would be well if, in the discussion of the question, hon. Members would adopt a system somewhat different to that which was sometimes assumed. He meant a more colloquial form of discussion, something like that which prevailed in the Venetian Senate; of course, not the form in use in that Senate, where no one was allowed to make a speech, but had to state his opinion only, after the manner of a Judge. It would be easy for hon. Gentlemen to express their opinions briefly, in a colloquial, quiet manner, without making long oratorical speeches. He agreed with the Solicitor General as to the extreme desirability of passing the Bill in one Session; for if it were postponed from one Session to another, possibly from one Parliament to another, it would be but a piecemeal production, and would lack that unity which a Code ought to possess. There were instances in history of Law Codes, such as the Code of the Emperor Justinian and the Code of Napoleon; and it would be found that those, and other like enactments, had always been passed in one Act. Had this not been so, they would have been altered and maimed, and would not have had the same unity as a *Corpus juris* ought to have—namely, one harmonious whole. Therefore, he trusted that the House would endeavour by every means possible to pass the measure during the present Session, a result which could only be arrived at by their looking at it as a matter of business and not as one of debate. He admitted that the Bill introduced last year had appeared to him to be imperfect, inasmuch as it contained inaccuracies and absurdities obvious to all lawyers, most certainly to those engaged in the administration of Criminal Law; but it had since undergone a most salutary change, and by the industry, labour, and learning of those appointed to revise it, it had been converted into a piece of legislation of which the country and the Legal Profession had every reason to be proud. Notwithstanding that there might be points which would require careful consideration, he doubted whether the Amendments of private Members, with a few exceptions, would be useful; and he believed that if, instead of proposing them, they would submit those Amendments to the Attorney General or Solicitor General, more good would be done. He did not mean to say that hon. Members would be bound to submit to the opinion of the Law Officers of the Crown; and, in his judgment, if hon. Members considered it their duty to persevere with their Amendments contrary to the opinion of the Law Officers of the Crown, they would only be exercising their unquestionable right, which, very properly, ought to be exercised. The Code must be, not the act of an individual, but of the House of Commons, and the House of Commons must consider it and not delegate its powers to any particular Government. Some of the criticisms bestowed upon the Bill appeared to be worthy of great consideration; and, for his own part, it seemed to him that the penalties contained in the Code were unnecessarily severe, and that sufficient margin was not left for cases in which mitigation of punishment might be advisable. This power of mitigation must be left to someone; for it was impossible to be acquainted at all with the administration of criminal justice without seeing that in a great many cases there were circumstances which could not be embodied in any Code or law, but which must be left to the consideration of the Judge who wished to administer justice tempered with mercy; and to the Judge, therefore, power would have to be given to sentence a prisoner to less severe punishment, under some circumstances, than it would otherwise be. With regard to the views expressed by the hon. and learned Member opposite (Mr. Herschell) on the crime of bigamy, he did not think he had shown sufficient grounds for enabling persons to contract another marriage within the seven years expressed in the Bill, considering the serious effects a second marriage might have upon the life of the former wife or husband. After seven years, there might be a fair presumption that the wife or husband was dead; but still the second marriage would be invalid and the children illegitimate. The first marriage would, of course, be the only valid one; and although the person married again would not be indicted for bigamy, the children, as he had said before, would be illegitimate. All this showed how important it was to limit the power of contracting a second marriage. With regard to the other point raised by the hon. and learned Member for Taunton (Sir Henry James), as to whether foreign subjects of Her Majesty would be liable to be indicted for the crime of bigamy when they came to this country for the commission of an act which was not contrary to the law of their own country, he (Sir George Bowyer) thought that the less the House went into details of the kind at that stage of the Bill the better. He thought that hon. Members should approach the Bill with a determination to put their shoulders to the wheel, and with the endeavour to get it through this Session; that they should allow their own personal opinions and convictions to remain in abeyance, and restrict themselves to a quiet mode of debate, with the certainty that, if need be, a Bill could afterwards be brought in to amend the Code. By that means, the Bill could be passed that Session, and it would then remain a great honour and trophy to Her Majesty's Government, and all who had taken part in facilitating its passage would be able to look back with satisfaction upon their work.

MR. WATKIN WILLIAMS also hoped they would pass the Bill this Session. If obstructions were resorted to, the Bill could not pass. If the Government were really in earnest, and showed their earnestness by giving a reasonable time for discussion, he thought they could pass the Bill this Session. It would be a dereliction of duty, if Members abstained from discussing those important principles on which the Bill would alter the law. For instance, it would be a mistake to pass without discussion that part of the Bill which would allow the accused to become witnesses, or that part which would allow an appeal in criminal cases. But he thought the House would agree with him that if they were to discuss every doubtful principle of the law with the view of amending it by this Bill codification would become impossible. The law should be accepted as it at present stood, and hon. Members should not introduce the discussion of principles such as punishment by the lash and capital punishment. The Bill had been crude when first brought up; but the Government had since then obtained the assistance of lawyers the most able, the most experienced, and the most trusted, for the purpose of drafting and completing it. This was not a Party measure; but sometimes measures were calculated to bring credit to the Government, and those who were against the Government were thereby greatly tempted to prevent the Government of the day having the credit. He hoped hon. Members would rise above that feeling, and be influenced by the sentiment that the credit of Parliament was involved in this measure. He hoped that, for the credit of Parliament, the Bill would be passed this Session.

MR. CHARLEY congratulated the Government on the introduction of this Bill, and the House on the spirit in which the Bill had been discussed on both sides. He hoped it would become law this Session. Portions of the Bill were deserving of great approval, the definition of counterfeit coin, for example. The hon. and learned Member for Stockport (Mr. Hopwood) had spoken of the provisions relative to infanticide in the Bill as if they were entirely new. But he would remind the House that similar provisions were contained in a Bill—the Infanticide Bill—which he had carried in four successive Sessions through the second reading, and he rejoiced that the Code contained them. There were a few points in the Bill to which he felt obliged to take exception. He objected to the omission of the Lord's Day Act, which was not, as had been said, an obsolete Act. He was opposed to the introduction into the jurisprudence of this country of the system of examining the accused, which was one of the worst features of the French Criminal Code. The provisions of the Bill relating to a new Court of Appeal would require very careful discussion, as the motions for new trial in criminal cases which they proposed to permit might introduce into our Criminal Law all the subtleties, refinements, and delays of *nisi prius*. In his own experience, the clemency of the Crown had always been exercised in such a manner as to meet any defeat of justice in the verdict of a jury in a criminal case. Though the Bill required close consideration, he sincerely trusted it would become law during the present Session.

MR. COLE said, he did not wish to speak in a hostile way of the Bill, but warned the Government not to suppose that the measure could be passed without a great deal of verbal criticism. He feared that the Government would find, when the Bill should come to be considered in Committee, that so many Amendments would be proposed that it would be exceedingly difficult to carry it this Session, especially if they intended to retain the new proposals contained in the measure. There were three most important innovations suggested in the Bill which would require the most careful consideration. A change was proposed with regard to punishments which he cordially approved—he referred to the rule which would limit a cumulative punishment by imprisonment to two years. This was a step in the right direction, as any sentence of imprisonment beyond 18 months was terribly severe; at the same time, he (Mr. Cole) was most anxious that Judges and Recorders should have the power, which formerly existed, of giving three years' penal servitude. At present, nothing less than five years could be given. He should also wish that a power should be given to give five years' penal servitude in cases where a former conviction was proved. At present, nothing less than seven could be given, which, in his opinion, was often much too severe a sentence, where the former conviction was for some trivial offence, and, perhaps, many years ago. Of the provisions relating to bigamy he could not express approval. They would require to be altered in several important particulars. So far as that part of the Bill which was merely a codification was concerned, he had no doubt the House would be anxious to assist the Attorney General in passing the measure, though even here there was a good deal of alteration which required consideration; but with regard to the changes that had been made in the law, opinions were likely to be diverse, and it might, therefore, be wise to throw them out altogether.

Mr. BULWER reminded the House that the question under consideration was whether they should read the Bill a second time. He had heard no objection to this course as yet; and he thought a great many of the remarks they had listened to might, with advantage, have been deferred until they were in Committee. As there appeared to be such a general desire to pass the Bill, it would, perhaps, be as well to accept the statement of the Commissioners, that the law at present was as it was represented to be in the Code, and to leave Amendments and innovations for future consideration.

Sir ANDREW LUSK said, a good many lawyers in the House seemed to think that nobody knew anything about justice but themselves. But the public knew what justice was, and required some alteration of the present state of things. There were, no doubt, difficulties in the way; but he hoped the House would not lose this opportunity of dealing with the subject. He therefore appealed to the legal Members not to delay by criticism, suitable for Committee, the passing of a Bill to secure a much-needed improvement in the administration of the law.

Mr. W. S. STANHOPE agreed with the hon. and learned Member for Penryn (Mr. Cole) in the suggestion that, in Committee, the minimum sentence of penal servitude should be reduced to three years.

Mr. MUNDELLA thought there was a general consensus of opinion as to the opportuneness of the Bill before the House, and he hoped they would all facilitate its progress as much as possible. There had been for some time a widespread feeling in its favour, and no one could doubt that if it became law, as he hoped it would, there would be a great improvement in the administration of justice.

The ATTORNEY GENERAL (Sir John Holker): Sir, I do not propose to offer more than a very few observations upon the debate to which we have listened. When I came down here, I expected that there would be some objection raised to the principle of codification generally; but, so far from that being the case, there has been, on the part of the House, nothing but universal consent to that principle. I might also have expected that, although the Bill has been examined by a great number of hon. Gentlemen most competent to form an estimate of it, and to discover any defect which it might contain, some material fault might be pointed out; but that has not been the case. As a matter of fact, no material defect has been found in it. When the discussion commenced I thought it possible that some hon. Members, although not open opponents of the measure, might have a lurking inclination not to advance it, perhaps to oppose its progress; but, on the contrary, there has been shown a general, and, I am sure, a *bonâ fide*, disposition to facilitate the passing of the Bill into law. Before I comment more particularly upon the measure I will make a remark upon the difference that has been noticed between the measure of the present Session and that of the last. Some hon. Members have drawn a comparison between the two, very much to the disadvantage of the latter; but, in my opinion, the strictures on the Bill of last Session are hardly merited. I do not think it was open to the objection of vagueness that has been urged against it, nor do I think it was open to the objection that it inflicted graver penalties than the law previously authorized. But I have no doubt that the Bill is a great improvement upon that of last Session; for, after all, it could not have been otherwise, considering the nature of the Commission to which it was relegated and the immense amount of labour bestowed upon it by that Commission. My hon. and learned Friend the Member for the Denbigh Boroughs (Mr. Watkin Williams) is rather offended that I, on one occasion, offered some sort of apology for the Commissioners who brought so much learning to bear upon this measure. No doubt, I was very wrong in doing so, in the view of the hon. and learned Gentleman. But I did nothing of the kind, and, therefore, I think my hon. and learned Friend must have entirely misunderstood me; for I said that the Commissioners by whom this matter had been investigated, and who were asked to bring to bear upon it their learning and ability, were men of the very greatest eminence to be found in this country. I said, however, that it was a matter for regret that the Lord Chief Justice of England had not been one of the authors and revisers of the Bill; and I do think that if he could have been one of the Members of the Commission it would have given very great satisfaction. But it is one thing to regret the absence from the Commission of a lawyer so experienced, so eminent, and so illustrious as the Lord Chief Justice, and another to offer an apology for the Members of the Commission. We are to-night engaged in discussing the principle of the Bill, and in that respect the discussion has been very satisfactory; for to the principle of the Bill no one has in the slightest degree objected, while, as regards the details, these ought properly to be reserved for consideration in Committee. The object, of course, which the framers of the Bill had in view was to reduce a portion of the Criminal Law to reasonable dimensions by codification—I say a portion of the Criminal Law, because, if you attempt to do too much, you will do nothing; and the intention has been to reduce it within a reasonable compass, and, at the same time, to make it plain, simple, and intelligible to minds uneducated to the law. Seeing that some hon. Members who are not lawyers have exhibited an interest in this measure, I am very desirous that their interest should continue, and that they should take part in its discussion; for if I find that the law has been made clear and intelligible to them, I shall be certain that one of the objects which the Government had in introducing the Bill has been attained. If we do nothing more than make the Criminal Law plain, simple, and easy of comprehension, we may not accomplish anything very heroic, but we shall, I think, do a great good to the community; because it is desirable that all law, especially the Criminal Law, should be made certain and intelligible to the people, so that they may understand what acts are right, and what are prohibited, and what acts, if committed by them, render them liable to punishment. The Bill is, substantially, drawn upon the lines of the Bill of Sir James Stephen, to whom the greatest credit is due. Besides codifying and simplifying the law, the Bill was designed to effect considerable improvements and many marked changes of the law. Some hon. Members had objected to the proposed changes, and had given their opinion that it would be well for the Government to be content with codifying the existing law only and allow the alterations to stand over for a more convenient season; but I entirely dissent from that view, because I think you would be but perpetuating absurdities in many instances if you were to re-enact the existing law, although you might reduce it in compass and simplify its language. But if there are grave and obvious defects in the law, whilst you are framing a measure of this kind why should you not remove them? Once you are convinced that any alterations of the law are required, I do not, for my own part, see that it would be wise to neglect your opportunity of introducing them. Now, the Bill introduces several radical alterations, and I thought that perhaps during this discussion I should hear very many objections to them. But, instead of that, I have only heard objections to one or two of the proposed changes. I will mention some of the alterations proposed by the Bill. There is an alteration of the law as regards cumulative penalties and minimum punishments, and a provision with regard to the doctrine of a woman being supposed to act under compulsion of her husband, which doctrine had been swept away; then there is an alteration in the distinction between misdemeanour and felony, to all of which no objections have been raised. Again, there is a limitation of the acts to be construed into the crime of murder; and that, practically speaking, is one which makes a man liable to be indicted for murder if he has intended to take away life, and in that case only. Then there is the alteration in the law with regard to infanticide, and that change has been met with entire approval. Further, there is a simplication of the law of theft, placing it on an entirely different basis from that on which it formerly stood; and the simplification of all the Acts involving dishonesty and forgery. No objection was raised to that. Then we have the Court of Criminal Appeal, and the alterations giving a new trial in criminal cases, and providing for the examination of prisoners; besides that most important alteration of the law which makes criminal pleading—now so cumbersome and, I will add, absurd—perfectly plain and easy. If there were any serious objections to this measure, we should have heard them; but we have not, and are, therefore, encouraged to believe that they do not exist. Some hon. Members, however, have objections to three of the proposed changes—namely, the proposal to alter the Courts of Criminal Appeal, and to give an appeal in criminal cases where such appeal is not now allowed; the provisions with regard to new trials; and, lastly, those with respect to the examination of prisoners. Now, I say, without hesitation, that all these changes are of a radical character, and demand not only discussion, but the very gravest and earnest consideration, before they are passed into law. But there will be no difficulty in discussing them, for the Government does not grudge the time which will be necessary for that purpose; and such questions, therefore, can be disposed of, I will not say at once, but after a discussion of reasonable duration. I thank the hon. and learned Member for Taunton (Sir Henry James) for his generous and encouraging speech, in which he has suggested that there were some difficulties as regard the sections which relate to bigamy, to unlawful assemblies, and to riot. So far as bigamy is concerned, I have followed the objections of my hon. and learned Friend to the definition of the crime, and during the course of the discussion I have not discovered the answer to them; but then I will not say an answer does not exist, because I have the greatest confidence in the framers of the Bill, and doubt not that if I put myself in communication with them an answer will be furnished. With regard to unlawful assemblies and riot, I do not quite go along with my hon. and learned Friend; but the law on this point being but a repetition of the old law, there can be no need for any lengthy discussion about it, and if he convinces me that his view is a correct one, a few strokes of the pen will do all that he wants. Of course, it is very important, as was said by my hon. and learned Friend the Member for Durham (Mr. Herschell), to consider at this stage what course will be taken and what chance there is of passing the Bill. I myself think it has a good chance, because it has met with universal approval, not only in this House, but in the Press and in the country generally. I think the House will come to the conclusion that it would not be wise or right to discuss at any length what I may call the drafting or codification part of the Bill, that part of the Bill which merely states the existing law, and renders it simple; and it is my opinion that the House will do well to take the plain draft which has been very carefully prepared by persons most competent to deal with it. If you accept the codification of the Bill, there only remain to be dealt with the alterations which it effects in the law; the whole of them, I think, are on the Table of the House and have been read by hon. Members, and it does not appear to me that there will be much discussion upon them. The great bulk of them have at once been accepted as a vast improvement; and although, with regard to the rest of them, a discussion will take place, it need not be of undue length. I hope the Bill may be proceeded with in the spirit of its framers, and in that of the hon. Members who have this evening expressed a desire to facilitate its passage into law. On my part, certainly, I will undertake to give every consideration to the Amendments which may be suggested; but I hope such Amendments will be placed by hon. Members on the Table as soon as possible. Further, I trust that they will not be left for verbal communication, because it is very much easier to deal with them in the usual way than when they are sprung upon one, so to speak, in the Lobby of the House, or at dinner time, or even in the course of the debate. If that is done, and if the Government, as I have no doubt they will be, are willing to yield to every reasonable Amendment without trouble and without any undue anxiety to carry their point by the mere force of numbers, then I think the Bill will rapidly advance.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

PROSECUTION OF OFFENCES BILL.

(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley.*)

[BILL 68.] CONSIDERATION.

Bill, as amended, *considered.*

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, with regard to the Amendment of the hon. Member for North Warwickshire (Mr. Newdegate), that when the Bill was last before the Committee the hon. Member was not present, and the Amendment which he had placed on the Paper was somewhat altered by the right hon. Gentleman the Home Secretary. The alteration had been made at his (the Attorney General's) suggestion. The Amendment, he believed, was to the effect that where a prosecution was not being duly proceeded with application should be allowed to a Court or Judge. He, on the other hand, believed that the best course would be an application to the Attorney General, and that view having been communicated to the Home Secretary, the clause of the hon. Member was accordingly altered. But it turned out that the hon. Member for North Warwickshire had a very decided objection to the substitution of the Attorney General for the Court or Judge. He (the Attorney General) was of opinion that where application was to be made for the purpose of showing that a prosecution was not being duly proceeded with by the Public Prosecutor or his assistant, the authority to whom such appeal was made should be the Attorney General, and not a learned Judge. Still, the matter was not one of much importance; and as the hon. Member desired his clause to stand as it was, it being necessary that there should be power of application to some authority, he was quite willing to waive the opinion which he entertained in favour of allowing the clause to be restored to its original form. He was, therefore, willing that the Amendment of the hon. Member should be accepted.

MR. NEWDEGATE said, he was glad to find that the hon. and learned Gentleman the Attorney General was prepared to accept the Amendment to this, the 9th clause of the Bill, of which he (Mr. Newdegate) had given Notice, and which would restore the clause to the form in which it originally stood on the Notice Paper in his (Mr. Newdegate's) name. He could assure the hon. and learned Gentleman that, except as acting upon the advice of the highest possible authorities on this subject, he should not have presumed to have given Notice of the clause. The object of the clause was to assimilate the position of the Public Prosecutor, who, under the clause, would be appointed for England, as regarded the Courts of Law, to the position which the Lord Advocate occupied in Scotland. In 1872, in the case of Angus Mackintosh, the Lord Advocate had refused his concurrence in the matter of criminal prosecution for illegal detention, which Angus Mackintosh desired to institute. Mackintosh presented a petition to the High Court of Justiciary in Scotland, who entertained the petition, and called the Lord Advocate before them. The Lord Advocate appeared, and explained the grounds of his having refused his concurrence in the case which Mackintosh desired to submit to the Court. The Court held that the grounds of refusal were sufficient, but did not give this decision until the case, arising out of the petition of Mackintosh, had been fully argued. The Court thus decided that, although by custom the Lord Advocate was the sole prosecutor in criminal cases, the right of the subject to appeal to the Court, and the right of the Court to decide upon the subject's appeal, were in no way barred by the position and function of the Public Prosecutor in ordinary cases. It was this right of appeal to the Supreme Court which he (Mr. Newdegate) was glad to find that Her Majesty's Ministers were prepared to preserve to the people of England, as it had been preserved to the people of Scotland.

Amendment *agreed to.*

Bill to be read the third time *To-morrow*, at Two of the clock.

GAME LAWS AMENDMENT (SCOTLAND) BILL.—[BILL 143.]

(*The Lord Advocate, Mr. Secretary Cross.*)

COMMITTEE.

Order for Committee read.

MR. P. A. TAYLOR thought that any hon. Member who had studied the Game Law Statutes would not be surprised that the Government were about to mitigate their severity; their only cause for wonder, however, was that such mitigation was confined to Scotland. He believed there prevailed in the House a sort of general impression, on the part of hon. Members who knew not precisely what the Statutes contained, that the Game Laws were about as reasonable and moderate a Code as might be imagined. He would, however, read the penalties imposed by the two Acts with which the Government proposed to deal. The Act of the 9 *Geo.* IV., c. 69, among other penalties, decreed that when three or more men went out armed at night for the purpose of poaching, this offence was a misdemeanour, and rendered them liable to 17 years' penal servitude. For night poaching (simply) the third offence was a misdemeanour, and punishable with seven years' penal servitude. The Act, known as Lord Stradbroke's, passed in 1844—7 & 8, *Vict.*, c. 29—extended these penalties to anyone who should commit the offence, so called, on the high roads, or, in fact, in any public place. In fact, there were not in the civilized world laws of such severity—he might say atrocity—relating to game as these were. Now, considering that *Blackstone* laid it down as

> "indisputable, that the wild denizens of the field, marsh, and forest, known to lawyers under the name of *feræ naturæ*, are the common property of men, be their degree what it may,"

the gross injustice of such laws became more manifest. It amounted, in fact, to a statutory confiscation of the property of the common law rights of the people, who were then punished with such savage severity for taking that which should belong to them. In France and Germany their Game Laws were formerly as bad, or worse; but they had been modified, and this country alone retained these severe and atrocious laws. No wonder that *Blackstone* went on to say they

> "were the last and most odious remembrancers of feudal institutions, and calculated to import the savage tyranny of William Rufus and King John into the mild and civilized era of the Hanoverian Georges."

But why, he asked, were the Game Laws to be mitigated in Scotland alone? It appeared that a farmer had been there recently sentenced to imprisonment for snaring rabbits at night, and that had given rise to the present measure for the mitigation of the law with respect to that part of the country. But was there no need of mitigation in England? He would give the House two illustrations. At the Oxford Quarter Sessions a labourer was charged with night poaching who had been twice convicted under the Act; in neither instance did he resist apprehension; and the Court, having taken this circumstance into account, gave him 12 months' hard labour instead of a long term of penal servitude, and, of course, he had to find security against a repetition of the offence. The second case had occurred at the Gloucester Assizes, where Mr. Justice Lindley sentenced a man named William Turner to six months' imprisonment with hard labour, Henry Weston to 12 months' hard labour, and William Spires to seven years' penal servitude for night poaching. They had taken one piebald pheasant. They were undefended. He (Mr. P. A. Taylor) had received dozens of letters referring to similar cases, but had always made it a rule to decline to bring them before the House, replying, at the same time, that while such was the state of the law it was not for him to complain of the action of those who had to administer it, and that endeavours must be made to change the law itself. There was nothing new in the modification proposed by the Government; on the contrary, two Committees had already reported in favour of an alteration, one in 1846, and the other in 1872. The Committee which sat in 1846 said in their Report—

> "Resolved, that, in the opinion of this Committee, no person convicted of night poaching under s. 1, 9 *Geo.* IV., c. 69, whose offence is unattended by circumstances of aggravation, should be subjected to the punishment of transportation;"

and again—

> "Resolved, that it is the opinion of this Committee that no person convicted of night poaching, under the 1st s. 9 *Geo.* IV., c. 68, should be required to find sureties for not repeating such offence."

Again, in 1872, a similar recommendation was given by a Committee, that

> "where offenders were not armed and more than two in number, discretion should be given to the Court to inflict a fine instead of imprisonment, and that the convicted person should no longer be required to find security against recommission of the offence."

How utterly exceptional was the condition of the Game Laws might be judged from the evidence given before the latter Committee by an Under Secretary of State, who said—

> "It is the only case that I am acquainted with in the Criminal Law where sureties are required for not committing a second offence in any charge relating to property—calling game property. I am not aware of any case in the whole range of English law where magistrates have the power, except under this Act, to impose hard labour with imprisonment in default of finding sureties."

He (Mr. P. A. Taylor) was at a loss to know why the Government were proposing to modify these abominable Acts in one part of the country only; because he had shown, what everyone knew, that they acted as oppressively in England as they did in Scotland. He therefore submitted that there was no ground for confining the operation of the Bill to Scotland, and moved that—

> "It be an Instruction to the Committee, That they have power to extend the operation of the Bill to the whole of the United Kingdom."

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, that if the House went into Committee on the Bill the Government would agree to report Progress on the 1st clause, in order to extend the operation of the measure to the whole of the United Kingdom.

Motion *agreed to.*

Ordered, That it be an Instruction to the Committee, That they have power to extend the operation of the Bill to the whole of the United Kingdom.—(*Mr. P. A. Taylor.*)

Bill *considered* in Committee.

Committee report Progress; to sit again upon *Thursday.*

MARRIAGES CONFIRMATION (HER MAJESTY'S SHIPS) BILL—[BILL 149.]

(*Mr. Algernon Egerton, Mr. William Smith, Sir Massey Lopes, Mr. Staveley Hill.*)

SECOND READING.

Order for Second Reading read.

MR. COURTNEY remarked that they were asked to take up a very serious subject of legislation; and though he did not propose to oppose this stage of the Bill, he certainly should oppose the Motion to go into Committee until they had some explanation from the Government as to what were their views of the state in which the law should be. No doubt, up to the present, it had been the general opinion that marriages contracted on board ship, in the presence of the commanding officer, and duly entered in the ship's log, were to all intents and purposes legal. They were now told that doubts were thrown upon those marriages, and that they were, probably, invalid. Of course, there would be no opposition whatever to making certain the validity of marriages which had already taken place. But the far more important question was, whether they should now give effect to the understanding which had so long existed, or should now, for the first time, prevent such marriages being contracted in future. It would not be wise for him to enter on so wide a question at that hour of the night in an empty House; but instead of making such marriages illegal, as he understood was the desire of Her Majesty's Government, they should surely remove all doubt as to the vaidity of such marriages in the past as well as in future, by making them all legal. Marriage was an accident which would happen in all parts of the world, and it was impossible always to have a clergyman at hand, or to observe all the ceremonial practised in England, or even those required by the Scotch law. Surely, at sea, the ceremonial described was sufficient, if the parties declared themselves to be man and wife in the presence of the captain; and if the fact were entered in the ship's log all the requirements of common sense were there complied with; and he therefore thought it was far better at once to make all these marriages valid.

Sir ANDREW LUSK hoped Her Majesty's Government would be very careful before they introduced any innovation of this kind. It often happened that passengers going out together took a fancy to one another. That could not be helped, and if they were not allowed to marry, as used to be the case, something worse might follow. If this principle were carried out, if people died they would not bury them, and if people wanted to be born they would not let them. This was one of the things they could not help; and any alteration would involve a great number of people in much difficulty. He knew, from a great number of cases, that it was a very common thing for people going out in ships to get married; and it had always been understood that these marriages were as legal as any before a Registrar in Lambeth or Finsbury. He hoped the Law Officers of the Crown would think over this matter again, and not incommode a number of plain people who did not see these matters in the same light as themselves.

Mr. A. F. EGERTON explained that the Bill did not at all interfere with marriages solemnized before captains of other ships, but was merely intended to confirm certain marriages that had been solemnized by captains of Her Majesty's ships. The ground of the Bill, and the real reason for introducing it was, that certain widows could not receive property to which they were really entitled without the confirmation by this House of the marriages between them and their deceased husbands. By opposing the Motion to go into Committee, the hon. Member for Liskeard (Mr. Courtney) might or might not elicit the opinion of the Law Officers of the Crown as to what course they would pursue under certain circumstances with regard to the alteration of the law. This Bill, however, made no alteration of the law, and was merely brought in to confirm certain marriages, and to prevent great injustice from being done.

Mr. MUNDELLA asked who withheld this property?

Mr. A. F. EGERTON replied, that the facts were very simple. A marriage was performed by the captain of one of Her Majesty's ships in the Bay of Panama. The husband died at Callao, on the coast of South America, and his widow became entitled to some property. The Consul obtained jurisdiction, and was the person who would have to pay over this property. He entertained doubts as to the validity of the marriage, although it was certified, and, consequently, the case was referred home. The Law Officers of the Crown had the question submitted to them, and after consultation they came to the conclusion that these marriages were invalid. It was for this reason that it was desired to confirm these marriages. He believed up to the present but two had been solemnized.

Bill read a second time, and *committed* for *To-morrow.*

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 1) BILL AND PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Ordered, That the Pier and Harbour Orders Confirmation (No. 1) Bill and the Pier and Harbour Orders Confirmation (No. 2) Bill be committed to the same Committee.

Instruction to the Committee, That they have power to consolidate the two Bills into one Bill.—(*Mr. John G. Talbot.*)

LOCAL GOVERNMENT (POOR LAW) PROVISIONAL ORDERS BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders made by the Local Government Board under the provisions of "The Poor Law Amendment Act, 1867," relating to the Townships of Great Barlow and Little Barlow, the Townships of Cheadle Bulkeley and Cheadle Moseley, and the Town of Plymouth, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 155.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (AXMINSTER UNION, &c.) BILL.

On Motion of Mr. Salt, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Rural Sanitary District of the Axminster Union, the Boroughs of Liverpool and Oswestry, the Local Government District of Pontypridd, the Improvement Act District of Ramsgate, and the Local Government Districts of Wellington (Somerset) and Ystradyfodwg, *ordered* to be brought in by Mr. Salt and Mr. Sclater-Booth.

Bill *presented*, and read the first time. [Bill 154.]

COURTS OF JUSTICE BUILDING ACT (1865) AMENDMENT BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to amend "The Courts of Justice Building Act, 1865," *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. GERARD NOEL.

Bill *presented,* and read the first time. [Bill 156.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 6th May, 1879.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Marriage with a Deceased Wife's Sister (51), *negatived.*

Committee—Elementary Education Provisional Orders Confirmation (Brighton and Preston, &c.) * (48).

Committee—Report—Elementary Education Provisional Order Confirmation (London) * (47); Local Government (Ireland) Provisional Orders (Clonmel, &c.) * (49); Metropolis (Little Coram Street, Bloomsbury, Wells Street, Poplar, and Great Peter Street, Westminster) Improvement Provisional Orders Confirmation * (50).

Third Reading — Poor Law Amendment Act (1876) Amendment * (34), and *passed.*

SOUTH AFRICA—THE ZULU WAR—INSTRUCTIONS TO SIR BARTLE FRÉRE.

QUESTION. OBSERVATIONS.

EARL GRANVILLE: My Lords, some misunderstanding has been caused by the answers which have been given to Questions which were not quite similar in the two Houses of Parliament respecting the instructions to Sir Bartle Frere. The Chancellor of the Exchequer is reported to have said yesterday evening that Sir Bartle Frere had instructions, both negative as to what he was not to do in the policy of annexation and other things of that sort, and positive as to the object which he was to aim at in taking the steps he was to take to preserve the British Colonies from the danger by which they have been threatened by the overwhelming power of the Zulu Force. The noble Earl (Earl Cadogan) on Friday referred to the indications which are given in the despatch of March 20 of the opinion of the Government on these points; and he read an extract exactly in the same sense, but going no further, from a despatch of April 10. He observed that it was impossible for Her Majesty's Government to give more definite instructions till they had received the opinion of Sir Bartle Frere. The point which does not seem to have been cleared up in either House is this—whether Sir Bartle Frere is at liberty, in case the King of the Zulus makes any acceptable proposals, to take any steps at all, or is to refer the matter home, with a necessary delay of about two months. In the despatch of March 20, he is strictly desired to submit all demands and stipulations for the approval of Her Majesty's Government before peace is concluded; and, again, he is directed to avoid taking any decided step or committing himself to any positive conclusion respecting any of the questions until he has received instructions from Her Majesty's Government. My Question is, Whether any such further instructions have been sent to Sir Bartle Frere which enable him to act upon any proposals for peace without further reference to Her Majesty's Government.

EARL CADOGAN: I have gathered from the ordinary sources of information that some misapprehension seems to exist, of the nature alluded to by the noble Earl, as to an apparent discrepancy between the answer given by the Chancellor of the Exchequer and the answer I had the honour of giving to the noble Earl. My Lords, I cannot acknowledge on my own part that any such discrepancy exists. The noble Earl asked me, a few nights ago, whether since the despatch, contained in the last Blue Book on the Table of your Lordships' House, any further instructions had been sent to Sir Bartle Frere with regard to the proposals of peace to be made to the King of Zululand. If the noble Earl had limited himself to asking that Question, my answer would have been a very simple one. I would have told him that no further instructions had been sent with regard to the articles of peace to be proposed; but that another despatch had been addressed to Sir Bartle Frere since the 20th of March—namely, on the 10th of April—giving general instructions to the High Commissioner, and expressing an earnest hope on the part of Her Majesty's Government that the military operations now being carried on would be directed to the bringing about of peace at the earliest possible opportunity. With regard to the instructions conveyed in the despatch of March 20, I can only repeat what I stated the other night—that in that despatch the opinion of the Government was very clearly stated on at least two most important points contained in the Ultimatum presented by Sir Bartle Frere. It informed him that Her Majesty's Government would insist on the establishment of a British Resident in Zululand; and, further, that they were determined to insist on the disbandment of the Zulu Army—that is to say, the modification of the military system in Zululand. The noble Earl, formerly the Secretary of State for the Colonies (the Earl of Kimberley), stated that he considered that no instructions, or rather that only negative instructions, had been sent, and that Sir Bartle Frere had at this moment no means of knowing the terms on which he was to enter into the consideration of conditions of peace, should negotiations commence. My Lords, I believe the matter stands thus. If Sir Bartle Frere has an opportunity of commencing negotiations for peace with the King of the Zulus, he has ample instructions—ample knowledge of the views of Her Majesty's Government as to the main points upon which such negotiations should be framed. Further than that, no instructions have been sent to him. Although, as I understand, he certainly has full liberty to commence negotiations, he can take no decided step without previously obtaining the sanction of Her Majesty's Government—a limitation to which, after the proceedings in this House at an earlier part of the Session, the noble Earl and his Friends will probably not object.

THE EARL OF KIMBERLEY said, his recollection was rather at variance with the explanation now given. He understood the other evening that Her Majesty's Government were waiting for some further information from Sir Bartle Frere before they could be in a condition to give him instructions as to the terms of peace. He now understood that further instructions had been given which contained the principles on which Sir Bartle Frere might negotiate.

EARL CADOGAN: I wish to be clearly understood. I do not mean to say that further instructions as to conditions of peace have been given to Sir Bartle Frere besides those contained in the despatch of March 20.

THE EARL OF KIMBERLEY: The noble Earl says Her Majesty's Government are awaiting further information from Sir Bartle Frere. I beg to ask the noble Earl whether that is the position of the matter?

EARL CADOGAN: In the despatch of the 20th of March, Her Majesty's Government have asked the opinion of Sir Bartle Frere as to certain matters, and I think your Lordships will be of opinion that it is natural that no further instructions should be sent to him until his replies have been received.

EARL GRANVILLE said, that nothing could be fairer than the statement of the noble Earl; but still this matter was not quite clear. He was still at a loss to know whether Sir Bartle Frere was in a position to come to a positive conclusion without receiving further instructions from Her Majesty's Government.

THE EARL OF BEACONSFIELD: I think, my Lords, it is unusual that a subject of this importance should be brought on without some notice. I may say that, in my opinion, Sir Bartle Frere is sufficiently acquainted now with the general views of the Government on what I consider the vital grounds upon which peace may be re-established to act for himself. It is unfortunate that the means of communication are so difficult—but, at all events, he is fully acquainted with the leading principles on which we expect peace to be established between Her Majesty and the King of the Zulus. There may be reserve as to details, and it is impossible but that such should be the case, as the means of communication with Sir Bartle Frere is not easy. No doubt, it will be necessary that Sir Bartle Frere should consult the Government further; but at present he may enter upon negotiations for peace with a thorough knowledge of the main principles of the policy of the Government.

EARL GRANVILLE: Would there be any objection to producing the Papers which give Sir Bartle Frere the authority he possesses?

THE EARL OF BEACONSFIELD: I understand that further Papers will shortly be laid upon the Table, and from them, no doubt, the noble Earl will obtain the information he desires.

LETTERKENNY RAILWAY BILL.

MOTION FOR RE-COMMITMENT.

VISCOUNT LIFFORD, in moving that the Bill be re-committed, said, that it was one which vitally concerned a district as large as Oxfordshire, in a county in which he was the only resident Peer. He made no charge against the noble Earl the Chairman of Committees, who had said that this Motion was an insult, and had even announced that he would resign his high Office if it were carried. It was no insult to any man to say that he had made an error of judgment. The Company was incorporated 19 years ago. The promoters were not sufficiently aware that, in a county so thinly inhabited by the upper classes as Donegal, third-class passengers and the port and mart to which they had to take their produce were to be looked to; and the line was run towards Dublin rather than towards Londonderry. This was remedied by an Act of 1863, which enabled them to run direct to Derry by joining a railway called the Lough Swilly line. Up to 1865, £80,000 had been expended. From that time to the present five Acts had been obtained at the cost of private subscriptions for an extension of time, and the efforts of the directors to go on with the work had been unceasing. There were law, land, and engineering debts amounting to £20,000. Assuming that the directors could place two mortgages, amounting to £85,000, there was a third of the £15,000 of no value whatever; and it was in assuming that they could place this, and in forgetting their debts, that the error of the noble Earl consisted. With their £65,000 the directors could find a contractor and make their line, but only on the narrow gauge; and when the line was made they thought they would be able to place the third mortgage of £15,000. They had found it impossible to make a broad gauge line. Narrow gauge lines had been tried with success in Ireland, Scotland, and the Isle of Man; and many shareholders now regretted their lines were made before it was discovered that a 3 feet gauge was as convenient and practicable as the broad gauge; while it was far more easily made and far more cheaply worked. The promoters of the line into which the above would run, which had never paid any dividend, were ready to alter their gauge to the narrow gauge; the people of the district were unanimously in favour of the Bill, and ready to be taxed for a guarantee by a rate on each farm-holding. They thought it strange the noble Earl should think he knew their affairs better than they did themselves. The Standing Orders only gave the noble Earl the Chairman of Committees power, "if he thinks fit," to report to the House that any unopposed Bill should be proceeded with as an opposed Bill. There was an utter absence of any trace of a Resolution giving him the enormous power of rejecting Bills because they were unopposed. His only discretion seemed to be that of either passing a Bill or referring it to a Select Committee; and he asked their Lordships to act on the 95th Standing Order, and refer this Bill, if still opposed by the noble Chairman, to a Select Committee as an opposed Bill.

Moved, "That the Bill be re-committed."—(*The Viscount Lifford.*)

LORD WAVENEY, in support of the Motion, urged that for years the promoters of the Bill had been vainly endeavouring to raise the capital necessary for the construction of a broad-gauge line; they had tried every expedient, and they had utterly failed. Meanwhile, the advance of engineering skill had rendered more easy than before the construction and working of a narrow-gauge line, by which alone it was possible to develop the resources of this part of the country and provide a remunerative traffic for the existing lines. In cases of this kind, it was found desirable that Grand Juries of counties should give a guarantee, in order that lines on the narrow gauge might be made. He was quite aware that it was a breach of the law to make such a railway; but public policy had justified that breach of that law. But cases arose where even the powers of a guarantee failed, and in those instances where narrow-gauge lines had been sanctioned they had developed a large part of the district. It should also be borne in mind that the narrow-gauge lines were merely supplemental lines to the broad-gauge railways, and could not be called competing lines. In the existing circumstances of Ireland, it would be utterly hopeless to do any thing to develop railway communication in this part of the country except in the manner proposed by this Bill.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that if their Lordships knew what the Private Business of the House was, they would see the necessity of supporting the authority vested in and exercised by the Chairman of Committees. Of the 64 Bills commenced in that House that Session, four, at least, contained provisions which ought not to be enacted by Private Bill legislation. One Bill promoted by a company, and giving them powers in relation to the control and management of their own business, sought to impose fines on offenders in a manner which could not be entertained except in public legislation. In other cases, too, promoters sought to do things by private legislation which were contrary to public policy. This Bill came before him as an unopposed Private Bill; it proposed to alter the line to a 3 feet gauge, instead of the national gauge, and the question for him to consider was whether this was a proper thing for him to sanction. He expressed a doubt about it, and the promoters asked that time should be allowed to enable them to produce more evidence, which he granted. He inquired into the case, and found that the company had been a very unfortunate one. It had been some 18 years in existence, and had done little, except under their first Act they had spent £80,000. Nearly all the land had been purchased, and all the works executed were for a national gauge line. The Resolution passed by their Lordships' House the other evening was that it was expedient to sanction the construction of narrow-gauge railways in districts where there were difficulties in the way, or that national gauge railways would be unremunerative. Now, in this particular case, there were no difficulties in the way of constructing a broad-gauge line; and with respect to its being unremunerative, the same company came to Parliament last year and asked for compulsory powers to purchase certain lands, and an extension of time to complete the line to 1881, but never said a word about requiring more capital or constructing it on a narrow gauge. Under these circumstances, he refused to sanction the scheme. The simple question was whether it was desirable to allow an existing company to lay down a narrow-gauge line. The invariable rule of the House was, when a Bill was reported against in any way, it was never re-committed, except with the consent of the Committee, considering that they had not the proper evidence before them. The whole question turned on this. Had they confidence in the Chairman of Committees? If not, he was no longer fit for the Office he held. He had been 29 years Chairman of Committees, and this was the first time anything of this kind had been brought against him. The jurisdiction he excercised was committed to him by the House for the advantage of the public. His discretion or authority might be questioned, and the judgment of the noble Viscount (Viscount Lifford) might be preferred to his; but if the House should so decide, he considered that his utility as Chairman of Committees was gone, and he was no longer fit to hold his Office. He must say he should pity the man who came after him.

EARL GRANVILLE said, he would not go into the merits of this case—the House invariably refused to re-commit a Bill if the Committee were of opinion there was no *primâ facie* case. The noble Earl in this House represented the Committee, and they had heard what he had stated. The practice was essential to the good working of the private legislation of the House, and he certainly should not be a party to question or weaken the authority of the Chairman of Committees. The noble Earl had been Chairman of Committees, as he had stated, for 29 years, and by the able manner in which he had discharged his arduous duties he had done more than any other individual in the House to maintain the high character of the House with regard to Private Business.

After a few words from Viscount LIFFORD, which were inaudible,

THE EARL OF BEACONSFIELD: I remember in the other House of Parliament there was a Rule that Ministers should never vote on Private Bills or anything connected with them. I wish that was the Rule in the House where I have the honour to sit at present. Both my Colleagues and I would then feel free from much painful responsibility. The question is one of some complication, and there are points on which two opinions may be fairly formed; but I think the evils to the public and to the Private Business of the House would be so great if our Chairman of Committees were not supported that I cannot approve of the Motion.

On Question? *Resolved* in the *Negative.*

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 51.)

(*The Lord Houghton.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE PRINCE OF WALES: My Lords, I have to present to your Lordships a Petition, signed by 3,258 farmers of Norfolk, praying for the legalization of marriage with a deceased wife's sister. I present it, my Lords, on local as well as on general grounds. It is my firm conviction that if this Bill passed it would be of advantage to the community at large; and I shall, therefore, give my hearty support to the noble Lord who moves the second reading of the Bill to-night.

THE EARL OF BEACONSFIELD also presented a Petition in favour of the Bill to the same effect from 1,152 farmers of Buckinghamshire.

Petitions were also presented from the Convention of the Royal Burghs of Scotland; from certain Aldermen and Common Councillors of London, and others.

LORD HOUGHTON*, in moving that the Bill be now read a second time, said: My Lords, I bring this Bill forward as a measure of relief. I use the word advisedly, as one with which our Legislature is familiar. Such relief is given from restrictions imposed in other periods, and under other influences of thought and action, of which these are the survivals, but which are now neither politic nor desirable. Such was the great measure of relief commonly called Catholic Emancipation, such the relief from the Jewish Disabilities. I am most anxious to induce your Lordships to regard this measure in this aspect; for just as Catholic Emancipation was carried by the great Party that had made the Protestant Revolution, and as the advocates for the relief of the Jews in no way impugned the priceless worth of Christianity, so, in giving your assent to this Bill, I do not ask your Lordships for your individual approval or sanction, but only for your removal of a restriction in the case of others who hold a different opinion. You may believe that these marriages are inappropriate, unwise, and even inconvenient to certain classes of society, and yet believe that you have no right to prevent them. I would further ask your Lordships to consider this question, not only apart from all Party motives, but also from any associations of the Order to which you especially belong, and to regard it solely as connected with the habits and desires of a large mass of the British nation, comprising not only the workers in the field and city, but that large middle class whose habits are in some degree different from your own, but whose wishes, expressed decidedly as they have been, your Lordships would do wisely not to neglect.

I am relieved from the necessity of going into a long historical narration by the circumstance that the question is not a new one to your Lordships. You know, as well as I do, how closely it has connected itself with some of the most important events in English history. The dispute of a marriage of affinity not only affected the succession of the English Crown for a century, but changed the religion of the English people. Forbidden by the Statute of Henry VIII.—which, in itself, implied their previous legality under the dispensation of the Church—these marriages were expressly sanctioned by the Act of the 1st of Philip and Mary, and the subsequent abolition either of that Act, or only of a portion of it, by Elizabeth, afforded ground for legal arguments and contradictory judicial decisions. But, at any rate, the legislation on these two Acts remained confined to the uncertain, and, so to say, semi-legal operation of the Ecclesiastical Courts, which practically made these marriages, not void *ab initio*, but only voidable by legal process so easily debarred and circumvented as to be very rarely put in action.

This state of things continued down to the reign of William IV., when, in 1835, special attention was called to the subject by a Bill brought in by Lord Lyndhurst for the purpose of validating such marriages. Although this measure may have been set in motion to meet a special case, it was intended as a measure of general relief, and only in consequence of the urgency of that case, in which every day was deemed of importance by the parties immediately concerned, was the opposition, weak in itself, but fortified by private considerations, met by the insertion of a clause declaring all such marriages prior to the passing of the Bill valid, and all similar marriages in the future void. This clause was rejected by the House of Commons, and the Bill so amended came up again to this House, when the clause was re-inserted; and, as it was late in the Session — everyone knows what happens at the end of a Session—the Bill was allowed to pass with this obnoxious clause, but with an undertaking, between Lord Lyndhurst and other parties interested in the matter, that this limitation should be removed in the ensuing Session. And natural enough would have been this expectation, even without any private agreement. For what, my Lords, was the moral position to which the House and the country were committed by the passing of that Act? The Legislature declared that such marriages after a certain date were to be unlawful, and in the religious aspect sinful, and yet they were made obligatory on all who had contracted them up to that date. By one part of that Act Parliament placed a certain number of persons in a position in which, if they came to consider these marriages wrong and void, they could be enforced upon them by an action for the restitution of conjugal rights; by another clause Parliament declared them void *ab initio*, and by implication sinful. There neither was, nor is there, in fact, in the Statute Book of any country in the world an Act so inconsistent in its provisions, so repugnant to common sense, and so shocking to the first dictates of morality. When, then, notwithstanding the passing of Lord Lyndhurt's Act, virtuous men and women went on contracting these marriages just as they had done, it should never be forgotten what is the character of the legality they disregarded—what is the abnormal and distorted legislation they defied. I especially recommend this consideration to those of your Lordships who look on the retrospective clause of this Act as obnoxious and uncalled for. But law-abiding Englishmen chafed under the anomaly and injustice of this position, and before long two men, whose names are dear to this House—the first Lord Wharncliffe and the first Lord Ellesmere—brought the question in successive years before the House of Commons, the ultimate result being that a Royal Commission, on which sat eminent lawyers representing the three parts of the United Kingdom, presided over by a most estimable occupant of the right reverend Bench, Bishop Lonsdale, was appointed to consider the whole question anew. That Commission reported, in 1848, that they would give no opinion on the subject-matter; but they were convinced that these marriages were going on quite as much as heretofore—that they were contracted by persons of good social position and of the best moral character, and that they could not be affected by legislation one way or the other. The Commission, therefore, left the question to the wisdom of Parliament to solve as best they might, in no way impugning their right of action or prejudicing the justice of the case. Accordingly, attempts were again made to remedy the state of the law by the introduction of Bills in the House of Commons similar to that now before your Lordships. Seven times has the will of the people been expressed by various majorities, sometimes approaching 100, in support of these Bills, and seven times have they been rejected by the House of Lords. That, assuredly, is not a satisfactory position in which to leave the question, and in the meantime these marriages are multiplying every day. No less an average than 50 are annually contracted by British subjects in the small town of Neufchâtel alone, notwithstanding that the marriages so celebrated on the Continent, and once assumed to be valid in this country, have now been decided to be illegal, on no special ground but on the general issue that the *lex loci* abroad cannot supersede an explicit English law.

During this period our Colonies have not been silent, and to this fact I desire to draw your Lordships' serious attention. South Australia, Victoria, Tasmania, New South Wales, Queensland, and Western Australia, have passed Acts legalizing these marriages. A Bill of the same nature has passed the Lower House of New Zealand, and twice in the Legislature of Natal, which Colony has now, unfortunately, something else to think of. Such marriages are practically legal in the whole Canadian Dominion, the West Indies, and, it is believed, in the Channel Islands. At home, the question has made great progress, especially in Scotland and Ireland. I remember the time when only three Representatives from Scotland could be counted in support of the Bill; but now you have the important Petitions from the Convention of Royal Burghs, representing 60 municipalities, which I present to-night, as well as many representative Petitions from other municipalities not included in the Convention. The magistrates and Town Council of Edinburgh recently agreed by a majority of 24 to 12 to Petition in support of the measure, and the United Presbyterian Church have, through their kirk sessions and presbyteries, arrived at the conclusion that marriages of the nature with which this Bill deals ought not to be a bar to Church membership. As to Ireland, I may state that the Corporation of Dublin have five times sent Petitions to this House, and that 40 other corporations in Ireland have petitioned in the same sense. I may also mention that the late respected Cardinal Cullen authorized me to say that he had no difficulty in acceding privately to the opinion expressed by Cardinal Wiseman, and other dignitaries of that Church, although he declined to sign any Petition because of the difference of views existing among his clergy. In England, the most important corporations, that of the City of London being at the head of them, have repeated their adhesions; and this evening the Petitions presented by His Royal Highness the Prince of Wales, and by the Prime Minister, as well as that by myself from three Bishops and upwards of 200 Roman Catholic clergy, including the Superiors of the chief religious Orders, confirm our opinion.

The Petitions from the farmers of Norfolk and the County of Buckingham show that in those districts there is an especially large majority of persons who desire a change in the existing law. It is, perhaps, in the comparatively lonely and separate life of the English farmer that this restriction presses most habitually and cruelly; for, in the larger towns, there is a freer intercourse, and more opportunity for selection.

With regard to the present position of the question, I should have wished to have dealt with it exclusively as a social one, and I need not assure your Lordships that I am deeply impressed with the gravity of this aspect of the subject. This is a point of view in which every man must judge for himself, but with this limitation—that he must remember that this Bill is not intended to operate to any large extent in the rank of life to which your Lordships belong, but among the less favoured and more numerous classes of the nation. In my own belief, the passing of this measure will make no practical difference in the relations of the domestic life of any order of society, and will rather tend to diminish than increase the probability of scandal, and the obliquities of suspicion. The goodwill accorded to these marriages in New England, where they are not only permitted but favoured by public opinion, confirms the probability of this issue.

My Lords, I deeply regret that the rejection of the Bill is to be moved by my right rev. Friend (the Bishop of London), not only from the personal authority and individual gravity of that opposition, but from the inevitable consequence that the question is thus taken out of the sphere of ordinary debate, and transferred to the sphere of religious controversy. Surely, it would have been wiser and happier if the right rev. Bench had allowed this matter to be at least ostensibly decided by their lay Colleagues. It should not be forgotten that all the Nonconformist Bodies, without the exception of a single sect, are in favour of the Bill; and what is the immense proportion they bear in the Christian community of this country? The present law is, most unfortunately, maintained chiefly by the action of the Church of England; and I cannot think that the rigorous opposition of the right rev. Bench to this Bill in comparison with the interest they take in the discussions of the House, and the infrequency of their attendance at its deliberations, will contribute to the national goodwill to the Church. There can be no pretence of special grievance on the part of the Church of England necessarily resulting from this measure, because no minister who does not wish to celebrate such marriages would be compelled to do so. If it is thought worth while, a clause to that effect can be inserted in Committee; but, as in the case of the marriage of divorced persons, the opinion and feelings of every clergyman would be undoubtedly respected without any such provision.

With regard to the oft-cited passage in the Book of Leviticus, it would be interesting if any member of the learned Body now engaged in the revision of the Old Testament would inform the House what opinion had been expressed as to the admissibility of the marginal reading so much relied upon by opponents of these marriages. On this point there has been so much learned and unlearned discussion in both Houses that I will content myself with citing a passage in a letter I lately received from the eminent Oriental scholar, Professor Max Müller, who says—

"How any Hebrew scholar could so misinterpret Leviticus xviii. 18, as to make it a prohibition of marriage with a deceased wife's sister is a puzzle to me. I know of one analogous case only—the falsification of a verse in the 'Veda,' by which it was turned into a commandment for the burning of a widow on the death of her husband."

But this episcopal attitude, no doubt, places the parochial clergy in a painful position. A considerable number, including the late excellent vicar of my own nearest town, make no secret of their habit of celebrating these marriages without questioning the parties beyond the liturgical form, in the plain interests of decency and morality; but others, no doubt, like a "Poor Parson," who wrote an affecting appeal that appeared in *The Standard* newspaper during the last winter, have scruples and anxieties which I call on your Lordships to relieve. This letter ended thus—

"I sincerely hope that something will be done to remedy the painful position of thousands of deserving families during the coming Session of Parliament, for, if not, I am convinced that the question will be made very prominent in the next General Election; and I would not support any Member who would not pledge himself to vote for the removal of this oppressive law."

It is in this sense, also, that the opinion of that great Divine of our Church, the late Dean Hook, is especially valuable. It has, indeed, been so often quoted that I should not now repeat it but for one unfortunate circumstance. In the interesting life of that good man, lately published, it is recorded that his opinion at one period was in accordance with that of the right rev. Bench; but it is strangely omitted that the practical experience of his administration of the great parish of Leeds altogether altered his views, and made him an earnest advocate of this measure. I trust this error, which I hope was unintentional, will be rectified in another edition. In the meantime, I will read to you an extract from this letter of Dr. Hook, and ask you to think how strong must have been the conviction which not only contradicted his former conviction, but placed him in open antagonism with the noble Lord who once occupied the Woolsack in this House, and with whom he was connected by a friendship that may find a place in any future English treatise, *De Amicitâ*. Dr. Hook wrote, in 1849—

"If a Bill were brought into Parliament to compel me to solemnize such marriages, I should resist it as an act of tyranny. But Mr. Wortley does not propose to compel the Church to solemnize such marriages. Therefore, as a Churchman, I have no ground for complaint against his measure. . . . People in general do not consider such marriages improper. They cannot be proved to be improper by Scripture. The question is, therefore, one of expediency, and my experience as a parochial minister induces me to think the measure expedient."

And he concludes—

"On these grounds, if ever a Convocation be called, and I be elected one of the proctors, I shall move for an alteration, in this regard, in the table of kindred and affinity. Until this be the case, I shall be glad to see such marriages legalized by the civil rite."

And now, my Lords, I pray you to give a second reading to this Bill. If you do so, you will relieve thousands of your fellow-citizens, honest men and honest women, from a deep sense of partial legislation and cruel injustice; if you reject this Bill, you will force on them the conviction that they might, like yourselves, enjoy the great happiness of family life with those they love best, without discomfort to themselves or dishonour to their offspring, were it not for the intolerance of the Church of England and the social prejudices of the House of Lords. The noble Lord concluded by moving the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Lord Houghton.*)

The Bishop of LONDON was understood to express his regret that he felt himself obliged to oppose the noble Lord who had just sat down on a subject which that noble Lord had made his own by a perseverance which, he must say, he thought worthy of a better cause. He could not, however, admit that a Bishop of the Church of England should not take part in a discussion like the present. If they were to be excluded from expressing an opinion on a subject such as this, in what discussions were they to be permitted? The Bill before the House proposed to alter a law which was undoubtedly the law of the Christian Church—a law which was closely connected with the happiness, the peace, and the purity of family life; and if the Bishops of the Church of England were not to be allowed to stand forward and express their opinion on such a proposal, he hardly knew of any question on which they were to exercise that right. The noble Lord (Lord Houghton) had advocated the Bill on the ground of popular feeling, and had appealed to the Petitions which had been presented in its favour, to the proceedings of the other House of Parliament, and to the large number of the cases in which these marriages had been contracted; but he scarcely glanced at the reasons which had always been urged in opposition to the measure, not only by the Bench of Bishops, but by a large proportion of the clergy and laity of the Church, as well as by many Nonconformists. With respect to Petitions, their Lordships would know how to discount the value of them by the circumstances which had given rise to them. Ever since the passing of Lord Lyndhurst's Act, no doubt, many persons who had, unhappily, contracted such marriages—many of them estimable and charitable men, influenced by natural feelings—had agitated the question; and by the agency of canvassers all over the country, by advertisements in newspapers, and other means, persistent efforts had been made to obtain a great number of Petitions on behalf of that proposed change from all classes and various grades of society. The great body of the public, however, who desired no change, had, as usual, remained quiet; and they had meanwhile placed confidence in the wisdom of Parliament, and had presented few such Petitions, because they relied that it would not hastily sanction any such measure. The Petitions presented in favour of the change had emanated, it was to be observed, from men. Was the noble Lord opposite prepared to say that the women of England were on his side? [Lord HOUGHTON: Yes.] He entirely dissented from that statement. He believed that the immense majority of the women of England were against that measure. There had been eight Parliaments since the passing of Lord Lyndhurst's Act. Out of these eight, the second, third, fourth, and seventh declared themselves in favour of the Bill. The fifth Parliament rejected it altogether in one year; in the next year the second reading was carried, but the Bill failed in Committee. The first, sixth, and eighth Parliaments rejected it. Did that show that opinion had increased in its favour? The majorities for it were never large; they ranged from 7 to 99. The first time the Bill was carried in the House of Commons the majority was 52; the last time it was 41: so that, so far as the test of Divisions in the other House went, opinion in favour of the Bill had not progressed since 1842. The measure had never passed a second reading in their Lordships' House, and he sincerely trusted it never might do so. The noble Lord (Lord Houghton) had referred to the legislation of the Colonies on that subject. Some of our Colonies had, doubtless, adopted this law. He did not question their competency to pass such a measure if they thought fit; but he thought their Lordships were hardly prepared to follow the Colonies in all their legislation. The noble Lord had briefly touched upon what he called the peculiar notions of the Church of England in reference to this subject; but the noble Lord appeared to forget that the Christian Church had held these peculiar notions for probably 1,800 years. The noble Lord had dwelt upon what might be termed the Scripture arguments in favour of this Bill. It was true that there was no direct prohibition of these marriages to be found in Scripture; but it must not be assumed that, therefore, it was intended to approve them. Because the Scriptures did not prohibit a man from marrying his own daughter, although a son was prohibited from marrying his mother, it would be absurd to contend that this authorized marriages between fathers and their daughters. The inference that the

Church had from the earliest times drawn from the Scriptures was that these marriages were unlawful. It was true that the Church of Rome had occasionally granted dispensations permitting such marriages; but that Church had also granted dispensations permitting marriages where the relationship between the parties was much nearer, and was clearly within the prohibited degrees. The Jews were not united on the subject, one sect permitting, and the other prohibiting, these marriages. Much stress was laid upon the fact that in the 18th verse of the 18th chapter of Leviticus, a man was prohibited from marrying his wife's sister during the life of his wife; and here, again, the inference was drawn that this was an indirect authorization of the marriage after the wife's death. He, however, could not place that construction upon the language of the verse. Referring to the social aspect of the case, he felt that, if this Bill were to become law, great evil must necessarily result. He was astonished to hear the noble Lord state that a large proportion of these marriages took place among the middle classes. His own experience had naturally been mostly amongst the middle classes; and he could assure the noble Lord, from that experience, that the number of such marriages was very small. Under the existing law the relationship of a husband with that of his wife's sister was that of almost brother and sister, and it led to much comfort and happiness in households. This was not a state of things that should be touched without very great consideration. The position of the wife's sister in a household must become much changed if she might become the wife, and might be becoming already the rival, of her sister's husband; and although there might, of course, be well-balanced minds upon which the change in the law would produce but little effect, nevertheless there were many other persons of a jealous disposition who would find that such a change would tend to disunite their households. If it were true that the happiness of married life and the peace and purity of the family were maintained by the restriction which at present existed, as he held they were, their Lordships would not be justified in taking away that prohibition. It was said that the sister of a deceased wife was the true guardian of her orphan children. He entirely appreciated that argument—none were so fitted to take the place of the deceased mother in the care of her children than that mother's sister, and on that ground he trusted their Lordships would not deprive children so placed of that protection; for he believed that the effect of this measure, in the majority of cases, would be to deprive their children of their natural guardian. For his part, he believed from his experience of a large population—and such also was the experience of other clergymen with large parishes—that the proportion of widowers who desired to marry their deceased wife's sister was very small; and, to enable the few to marry their children's aunts, this measure would deprive the children of the many of an aunt's almost parental care. It was, no doubt, hard that those who had disregarded the law should find themselves in their present condition, and he could not but sympathize with them; but that was no sufficient reason for altering the law. This was not a time to interfere with the sanctity of domestic life. Very recently the painful case had been brought under his notice of a man who had married his deceased son's widow, and who defended the act on the very ground that marriage with a deceased wife's sister was defended—that he was the natural guardian of his son's children. An advertisement had recently appeared in a newspaper calling upon those who desired to marry their nieces not to trouble themselves to petition in support of Sir Thomas Chambers's Bill, because, as a necessary consequence of the passing of that Bill, a Bill to legalize such marriages would be sure to be introduced and carried. He regretted that this Bill had been brought in. These were questions which it was almost as mischievous to raise as to carry; and the mere possibility that this Bill might become law might cause hopes which ought never to be excited, and suggest fears which had better not be felt. And he hoped that their Lordships would not only reject it, but do so by such a majority as might settle the question for the present generation at least—that they would show by their vote on this occasion that they refused to alter a law which had, at least, some claim to be a law of God; and which was undoubtedly a law of the Church. It would show, too, that their Lordships were not disposed to legislate for the few to the detriment of the many, or to disturb the peace and happiness of families, and injure the purity of domestic life. He begged to move that the Bill be read a second time that day six months.

Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Lord Bishop of London.*)

THE EARL OF KIMBERLEY said, that he was at the Colonial Office when the first Bill to legalize marriage with a deceased wife's sister was received in this country from South Australia. As their Lordships were aware, he had always been in favour of the present Bill; nevertheless, when the first Colonial Bill came before him, he hesitated to advise Her Majesty to assent to it, having regard to the extreme inconvenience of there being different marriage laws in different parts of the Empire. The Bill, accordingly, went back to the Colony. It was once more passed by the Legislature; and, in these circumstances, believing it to be unwise to maintain the conflict with Colonial opinion, he advised Her Majesty to assent to the Bill, which accordingly became law. The argument, however, offered by the noble Lord (Lord Houghton), that because these Colonial Acts were passed therefore a similar Act ought to be passed for this country, was one which he felt bound personally to repudiate. It might be perfectly legitimate for a Colony possessing self-government to alter its marriage laws if it thought fit; but it was altogether unreasonable that that Colony on its part should dictate to the Mother Country what policy it ought to pursue. Into the general question he did not wish to enter further than to say that he did not see why they should be bound by the Levitical law in this matter. What they had to consider was, whether in a case in which such strong feeling existed, it was wise to maintain a prohibition which was calculated to produce much social misery. He thought not, and should, therefore, as heretofore, vote in favour of the Bill.

LORD STANLEY OF ALDERLEY said, the right rev. Prelate had endeavoured to show that these marriages were prohibited in Scripture, by inference that the prohibitions in case of males applied also to females; but by thus defending the law, which was a shred and relic of canon law, he would be taxing the Catholic Church of Rome with having for a long period granted dispensations from the Divine Law, when it was well known that that Church never granted dispensations, except from its own regulations. The right rev. Prelate also referred to the Greek Church; but the prohibitions of that Church were very far fetched; for instance, it did not allow two brothers to marry two sisters, and it did not allow a woman to be married more than three times in her lifetime. The right rev. Prelate also referred to Mussulman law; but, with regard to that, he had been misinformed. Mussulman law forbade a man to marry two sisters at once; but it allowed a man to marry a deceased wife's sister, as there was no relationship between them. Clause 2 of the Bill showed that the present state of the law was an incentive to wrong and injustice, since a man might marry his deceased wife's sister abroad, and get rid of her by marrying another woman; and that was hardly a state of things which the right rev. Bench would wish to encourage.

VISCOUNT CRANBROOK said, he wished only to say a few words on the question. He had heard this question discussed in the other House again and again, and he regretted that the noble Lord opposite (Lord Houghton) had not taken the advice given him by Sir George Grey, 16 or 18 years ago, when the Bill was first introduced by him, that if he did not succeed at once in carrying it he should desist from the further agitation of a question which caused so much distress in the country. The noble Lord said the arrangement of a wife's unmarried sister taking charge of her brother-in-law's house was an unusual one. That statement was made in a previous debate in the House of Commons; and a distinguished Member of that House, whose name he would not mention, but who was a distinguished Member of that House, rose in his place and gave a practical refutation to it by stating that he himself for many months had enjoyed the benefit of such an arrangement; and with much emotion, and with great effect upon his audience, deplored the disturbance of such relations by such a measure. Were the Bill to pass, the relationship which now existed between brothers and sisters-in-law, which was similar to that existing between actual brothers and sisters, would be destroyed; and for that reason he opposed the present Bill. That relationship was of a much higher order than that which was desired by the promoters of the Bill. At present a woman could take charge of her brother-in-law's children, with no thought of passion, with nothing but an unselfish desire to do her sisterly duty, with no idea which could bring a blush to her cheek; but if this Bill passed, there would be a danger that an entirely different state of things would be introduced. The noble Lord opposite (Lord Houghton) stated that the vicar of a certain parish shut his eyes to the existing prohibition in regard to the marriage of brothers and sisters-in-law, and introduced persons into what was practically a state of concubinage; but it was hardly conceivable that a clergyman of the Church of England could so far forget his duty. Such marriages might be made lawful, but they could never, in his opinion, be made expedient. He entirely agreed with the right rev. Prelate who had addressed the House (the Bishop of London) that degrees of affinity were equally forbidden with degrees of consanguinity. He was not afraid to take his stand against the Bill, therefore, on the religious question. Looking at the matter from the social point of view, it would surely be admitted that a State had the right to lay down whatever laws it thought expedient. Now, this measure was one of those which, in common, he believed, with the mass of the people in this country, he regarded as inexpedient. It was all very well to sanction only one degree of affinity in marriage; but could they stop there? The right rev. Prelate had given instances of marriages which appeared shocking to them at this moment; but these might perfectly well arise if the Bill were passed. He remembered, in the debate to which he had referred, Lord Russell saying that other degrees of affinity ought to be placed in the Bill, and that the same law should apply to brothers as to sisters. Thus, it appeared to the man of the great ability, the great reasoning power, and the great knowledge of human nature of Earl Russell, that a measure like the present would necessarily go much further than the noble Lord opposite supposed. The Bill would settle nothing. It would lead to renewed agitation; and they would before long be called upon to do for brothers what they were now asked to do with regard to sisters, and thus there would be no stop until they were urged to do things which were now shocking in their eyes. The noble Lord said he would do something in Committee, if the House wished it; but the Bill was out of the noble Lord's hands, and in possession of the House. It was retrospective in its character, and all those who had wilfully broken the law it proposed to place in the same position as those who had observed the law. Now, that result would be so injurious to the public interests that of itself it would be sufficient to condemn the Bill. In conclusion, he would only say that, in his opinion, it would ill become a Judicial House like that of their Lordships' to pass a Bill which contained so much that was contrary to the principles of morality and the common welfare.

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Resolved in the *Negative;* and Bill to be read 2ª *on this day six months.*

House adjourned at a quarter before Eight o'clock, to Thursday next, half-past Ten o'clock

* * *

HOUSE OF COMMONS,

Tuesday, 6th May, 1879.

MINUTES.]—Ways and Means—*considered in Committee—Resolution* [May 5] *reported*—Customs and Inland Revenue Laws.

Private Bills (*by Order*)—*Second Reading*—Blackburn and Over Darwen Tramways; Blackpool Extension and Improvement *; Leicester Corporation*; Newcastle-upon-Tyne and Gateshead Gas*; South Shields Gas*; Walton-on-the-Naze and Frinton Improvement*.

Considered as amended—Houghton-le-Spring District Gas*.

Third Reading — Llandudno Improvement (*Lords*) *.

Public Bills — *Ordered* — *First Reading* — Trustees Liability* [157].

Second Reading — Public Health Act (1875) Amendment (Interments)* [61].

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Committee — *Report* — Trustee Acts Consolidation and Amendment* [106].

Considered as amended—Pier and Harbour Orders Confirmation* [153].

Third Reading—Prosecution of Offences* [147]; Public Health (Scotland) Act (1867) Amendment* [107], and *passed.*

The House met at Two of the clock.

PRIVATE BUSINESS.

BLACKBURN AND OVER DARWEN TRAMWAYS BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Mr. RAIKES said, he wished to call the attention of the House to the fact that this and various other Bills now before the House involved the question of the use of steam or other mechnical power upon tramways. It would be within the knowledge of the House that two Committees had been appointed to consider that subject—one last Session, and one during the Session which preceded that. One of them was presided over by his hon. Friend the Member for Stafford (Mr. Salt), and the one which sat last year by the hon. Member for Warwick (Mr. A. Peel). Both of these Committees reported to the House at some length, and recommended that extensive powers should be given to the Board of Trade for the purpose of regulating the use of steam or mechanical power on tramways. The Bills introduced into the House of Commons last year, containing provisions authorizing the use of steam or mechanical power on tramways, passed through that House on condition that certain Amendments should be inserted to give effect to the recommendations of the Committee, but were stopped by the action of the other House of Parliament, who appointed a Committee to consider the question. He had felt it his duty to arrest the progress of the present and other Bills raising the same question, until the Report of the Committee of the House of Lords was in the possession not only of Members of the other House of Parliament, but also of hon. Members in that House (the House of Commons). The Report of the Lords' Committee was published immediately after the Easter Holidays, and the House of Lords consented to communicate that Report to the House of Commons. Since that time, the Board of Trade had been engaged in drawing up clauses to carry out the recommendations of that Report, which it was proposed to refer to the consideration of the Committees appointed to inquire into the Bills now before the House, and he had had the opportunity of conferring with the Board of Trade upon the subject more than once. It appeared to him that the clauses which the Board of Trade proposed to insert in these Bills were such as would carry out the recommendations of the Committee of the House of Lords, and also the recommendations of the two Committees which sat in the House of Commons during the last and the previous Session. He was bound, however, to say that those recommendations, in his opinion, fell short of what was really required in regard to the question. He felt it his duty to point out to the House that they were only at the beginning of legislation in reference to this description of locomotion, and that, in future, steam tramways would be likely to become popular and to spread very widely over the whole of the country. The comparative restriction of the extension of the ordinary tramways had been mainly due to the expense of working them by horses; and as soon as steam, or other mechanical power, was duly authorized, they might expect to see a great many of the public roads used as tramway roads. That would be an important change in the system of locomotion generally, and he hoped that any Committee before whom the Bills would go would carefully consider the matter. It could not be denied that at the present moment the tramway companies had an opportunity of establishing tramway lines upon a basis which was very easy when compared with the expense and obligations imposed upon railway companies. Railway companies had to acquire property at immense expense before they could construct their lines; but it was proposed in these Tramway Bills to authorize the construction of a sort of railway on property which belonged to the public, and for which nothing whatever was paid by the promoters of the Bills. That, of course, demanded very great consideration; and he wished that the Board of Trade, or one of the Committees which had inquired into the question, had recommended the insertion of a clause requiring that the whole expense of maintaining a road upon which a steam tramway was authorized should be borne by the tramway company. He thought that that was not only a reasonable, but a desirable object; although, of course, he might be told that the local authorities, who were interested in the matter, were the persons to move in it. But he wished he could believe that they were always ready to take the initiative in the interests of the public. There might be reasons why the local authorities should abstain from raising the question; and he should, therefore, be glad if the Committee before whom these Bills would go would consider it their duty to impose on the tramway companies, without reference to the local authorities, the whole expense of maintaining the road over which the tramway ran. There was another point to which he also desired to call the attention of the House and of the Committee—namely, whether it was not desirable to fix some hard-and-fast line as the minimum width of a road over which a tramway should be allowed to travel. It was frequently the case that for five or six miles the tramway would pass along a road of tolerable width, and then there would come a short portion of the road, sometimes in the middle of it, which was extremely narrow. The local authority, for some reason best known to themselves, might authorize or sanction the construction of a tramway under such circumstances without taking steps to enforce the widening of the road; and he had never heard of a Bill or a Provisional Order being refused in consequence of the tramway passing through a small portion of a road of less width than in the public interests generally it was necessary to secure. It was desirable, therefore, that some rule should be fixed as to the width of the road, which neither the Board of Trade nor the local authority should have the power of dispensing with; and a general regulation should be laid down that no tramway should be authorized, any portion of which was proposed to be constructed in a road narrower than a certain fixed limit. If a company promoting a Bill desired to make a tramway in a road, any portion of which was narrower than this limit, it should be necessary for them to acquire space on both sides of the road for the enlargement of the roadway before being allowed to apply to Parliament. He did not wish to detain the House further upon the Bill in its present stage, because he was aware that it must now go before Committees of both Houses, and the Report of the Lords' Committee had made the matter ripe for the consideration of the Committee upstairs. He had, however, thought it right to call the attention of the House to the matter, because a very important principle was involved. Of course, there were other points arising out of the question, which must hereafter engage the attention of the House. One of them was the *locus standi* to be allowed to railway companies, where competition was proved to exist between their lines and those which were proposed to be laid down by tramway companies. It appeared to him that the existing rule which had been established in regard to the *locus standi* of a railway company could not longer be maintained where tramways were to be worked by steam. When they were so worked, they would practically become railroads, and he should venture, towards the end of the Session, when the Standing Orders in regard to Private Bills came under revision, to call attention to the subject; and he should feel much indebted to any hon. Member of the House who would make any suggestion to him in this direction, with the view of giving a *locus standi* to all railway companies whose interests were likely to be affected by the construction of a steam tramway. He did not think there was anything further that he need add on the present occasion. He had arrested, as he had already said, the progress of these Tramway Bills up to the present time, with the view of obtaining the latest information as to the wishes of Parliament on the subject; but now that the recommendations of the Lords' Committee were in the hands of hon. Members, it was not desirable to arrest their progress further. He therefore hoped the House would allow the present Bill to be read a second time; and, as he had just intimated, he should be grateful for any suggestion which might be made by any Member of the House with the view of securing for these Bills that they should be made as perfect and valuable as possible.

MR. KNATCHBULL-HUGESSEN said, he was not aware that this Bill was down on the Paper for consideration on that day, and he felt that the House would be indisposed at present to enter upon many of the subjects which his hon. Friend (Mr. Raikes) had alluded to, and upon many points connected with the question of tramways upon which a debate might easily be raised. He (Mr. Knatchbull-Hugessen) simply wished now to call the attention of the Chancellor of the Exchequer to some of the observations which had just fallen from his hon. Friend. In respect to the additional charge proposed to be laid upon tramway companies, the suggestion that tramway companies should be made responsible for the maintenance of the roads over which their lines passed, and the proposal to give the railway companies a *locus standi* to oppose competing tramway lines, were questions of very considerable importance, which were not to be decided at once and off-hand. His hon. Friend had called attention to the fact that the permission to use steam on tramways would popularize them to a certain extent, and had pointed out the condition in which they now stood in regard to railways—the fact being that in the one case the railway company bought the property and made and maintained its own road, while in the other the tramway company had no property of their own at all, but simply made use of roads practically made for them by other people. He wished to point out to the Chancellor of the Exchequer the extreme importance of the question, and the bearing it had upon another question—namely, the imposition of the passenger duty. He was not there to advocate the imposition of any fresh tax upon locomotion; but he was anxious to point out to the Chancellor of the Exchequer that if they were to sanction the use of steam or other mechanical power upon tramways, it would be a stronger ground than ever for the removal of this most unjust tax, which now operated to the great prejudice of the railway companies and of the travelling public.

THE CHANCELLOR OF THE EXCHEQUER did not entirely recognize the parallel which had been drawn by the right hon. Member for Sandwich (Mr. Knatchbull-Hugessen) between the position of steam tramways and railroads in reference to the passenger tax; but, at the same time, he thought there was a great deal to be said in favour of considering the propriety of applying the tax now levied upon railways to tramways. Indeed, he was at present in communication with his noble Friend the President of the Board of Trade (Viscount Sandon) upon the subject. It was a matter which had aroused a good deal of attention, and he hoped that some arrangement might be arrived at.

MR. SHAW LEFEVRE remarked that in drawing a comparison between the tramway companies and the railway companies it should be recollected that, in the latter case, the concessions to the railway companies were perpetual; while, in the former, under the General Tramways Act, the powers of the tramway companies were limited for a period of 30 years, after which the local authorities had power to purchase the tramways, paying for them only their actual value. This would, of course, give the local authorities an opportunity of making fresh terms, if necessary, with the tramway companies for a reduction of fares, or otherwise. Further, if a tramway was found to be a nuisance to a neighbourhood, it might be done away with altogether. In that respect, they differed very essentially from railway companies; and in considering the terms to be imposed upon tramway companies, it appeared to him that this essential difference should be borne in mind.

MR. BRISTOWE said, he was not going to oppose the second reading of the Bill; but he wished cordially to endorse the suggestions which had been made by the Chairman of Ways and Means. Those suggestions were well worth the consideration of the House. He (Mr. Bristowe) had had an opportunity of seeing a good deal in connection with these matters, having sat as one of the Referees upstairs, when the questions which the Chairman of Ways and Means called attention to had been brought prominently before him. Over and over again he had felt it a hardship that a railway company should be excluded by the Rules of the House from having a *locus standi* to oppose what was on the face of it a competing Bill, running over the same ground that was already occupied by a railway company. To his mind, that was a very serious matter. He had some experience of it, and between the present time and a later period of the Session he hoped he should have some information to give to his hon. Friend upon the question, which he believed would be of some use. Another point which had been alluded to was well worthy of consideration—namely, the position of the local authority in cases of this kind. No doubt, the Standing Orders of the House provided, at present, that the local authority should be the only portion of the public who should be at liberty to enter a practical protest against these schemes; but the local authority was very often unwilling to enter upon a contest upstairs, which they knew was generally a very expensive affair. They were naturally unwilling to enter into a contest which would inevitably raise the rates; and, therefore, he should like to see an alteration which would have the effect of insuring that the interests of the frontagers and of the general public should be properly considered. He would not oppose the second reading of the present Bill, and he was very glad that his hon. Friend the Chairman of Ways and Means had taken up the question.

SIR WALTER B. BARTTELOT said, he was not going to prolong the debate. He only wished to say that this was a question of a most important character, and should not be lightly dealt with. He hoped his noble Friend at the head of the Board of Trade (Viscount Sandon) would find some way of introducing into the Tramways Act some modification of the existing provisions of that Act with regard to the use of steam upon tramways. Nothing was more important than that the public should be protected against the use of steam upon very narrow roads, and the remarks of his hon. Friend the Member for Chester (Mr. Raikes) upon this subject were most pertinent. He had no doubt, when the Committee upstairs came to the consideration of the question, they would arrive at the conclusion that the expense of maintaining the roads on which these steam tramways were to be placed should mainly be borne by the tramway companies, and that a general law to that effect should be enacted. He was decidedly of opinion that some regulation as to the use of steam on tramways should be laid down in a general Act of Parliament. They wanted something to show that these tramway companies were not to ride rough-shod over everybody, and to make what use they pleased of the roads; and with that view, he trusted the attention of his noble Friend the President of the Board of Trade would be called to the subject, so that he might consider what amendment of the Tramways Act was necessary.

MR. SULLIVAN thought it was important that they should consider the advantage derived by the public from the increased facilities afforded for locomotion. For his own part, he always rejoiced when he heard a proposition brought before the House for giving greater facilities to the public. It was necessary, he thought, that the House should take a very wide view of the question, and he had simply risen to say that he heard with regret—he would not say with alarm—an intimation, which he hoped he had misunderstood, from the Chancellor of the Exchequer, that there was some idea of considering whether the tramway passengers might not be taxed as well as the railway passengers were. As to levelling up or levelling down in regard to taxation upon locomotion, it should not be forgotten that a Select Committee of the House had already condemned as objectionable this idea of taxing locomotion. It would be of no assistance to the railway companies, which bore the burden alone just now, to level the taxation up by bringing the tramways to the same obnoxious level, and by perpetuating the injustice now confined to railways. He trusted that, after communicating with the Board of Trade on the subject, Her Majesty's Government would come to the conclusion that it would be most objectionable to impose the passenger duty upon tramways, and that neither in the present, nor in the next Session, would such a proposition be submitted to Parliament.

MR. ASSHETON said, he was all for levelling up, and not for levelling down, and he thought it would be of advantage to tax the passengers by tramways as well as those by railways. He was surprised to hear the hon. Member for Reading (Mr. Shaw Lefevre) refer to the concession to tramway companies as only being for a limited period, as if that was a reason why the concession should be made to them for nothing. The right to travel over the public roads for a limited period ought not to give them that right for nothing whatever, at the expense of the ratepayers. In point of fact, the Legislature had hitherto acted upon the principle of giving away other people's property, and he, for one, decidedly protested against it. He was certainly not so much alarmed as his hon. and gallant Friend behind him (Sir Walter B. Barttelot), at the prospect of steam on tramways; but he certainly was alarmed to some extent as to the position which tramways might occupy in very narrow roads. It was a point to which attention had already been called by the hon. Gentleman the Chairman of Ways and Means, who, in what he had stated, had thoroughly exhausted the subject. He only wished to reiterate the view of his hon. Friend, that some minimum width of road should be fixed by Parliament as the narrowest road over which tramways would be allowed to run. He trusted that something would be done in this direction now that the subject had been brought under the notice of the Board of Trade and of Her Majesty's Government.

Mr. D. TAYLOR said, it was suggested that some special instructions should be given to the Committee to impose the charge for the maintenance of the roads upon the companies seeking to construct tramways, and that provisions to that effect should be inserted in the Tramway Bills. He wished to submit to the consideration of the House whether it would be a wise or a proper obligation to impose upon the tramway companies. If such an arrangement were come to, a difference of opinion might constantly arise as to the state of repair in which a road should be kept, and the interest of the tramway companies in keeping the roads in sufficient repair would be different from that of the rest of the public who required to use them. He would ask if it would not be better that a certain amount should be fixed as the user of the road, or that a certain sum should be paid to the local authority for the right to use it? It appeared to him that an arrangement of that kind would work much more satisfactorily than any arrangement to bind the tramway companies to keep the roads in repair. He suggested that the point was one which, at any rate, was worth consideration.

Mr. BRIGGS hoped that no unnecessary delay would take place in passing the Bill now before the House. The construction of a steam tramway in this particular locality would, he thought, be a matter of very great convenience. He did not believe there were any Petitions against it which would carry any very great weight with the Committee, and he thought the suggestion of the Chairman of Ways and Means was a fair one, that all the questions which had been raised should be discussed and threshed out in Committee in a manner which was impossible on that occasion. He therefore hoped that the discussion would now cease, and that the Bill would be read a second time.

Bill read a second time, and *committed.*

QUESTIONS.

INDIA (FINANCE, &c.)—TWO MILLION LOAN.—QUESTION.

Mr. FAWCETT asked Mr. Chancellor of the Exchequer, When he proposes to introduce a Bill to give effect to the proposal to advance £2,000,000 to India, free of interest; and, whether he can inform the House on what day the India Budget will be considered?

The CHANCELLOR of the EXCHEQUER: Sir, the most convenient course, I think, will be that we should take the Indian Budget—the statement of the condition of Indian finance—first, and then follow it with the proposal for an advance from this country to India. I propose to take Thursday, the 22nd instant, as the day for the discussion of Indian finance; and I believe the most convenient course will be that my hon. Friend the Under Secretary of State should move on that day the Indian Loan Bill—a Bill for raising a loan for the Indian Government, and probably on that Motion may come the discussion of the financial position of India. After that I should propose to make a loan from this country to India.

Mr. FAWCETT said, that already one or two Notices had been given on the Indian Budget with regard to the necessity of enforcing greater economy in Indian expenditure; and if the bringing forward of these Motions would have the effect of opposing the Loan Bill, it would place many hon. Members in a difficulty, because many who would vote for the exercise of greater economy might not like to vote against the Loan Bill.

The CHANCELLOR of the EXCHEQUER said, he would try, in the meantime, to arrange the most convenient way of bringing forward this question; but he could not name an earlier day than the 22nd.

TREATY OF BERLIN—THE GREEK FRONTIER.—QUESTIONS.

Mr. MONK asked the Under Secretary of State for Foreign Affairs, Whether the announcement of the failure of the negotiations between the Powers for a Conference of Ambassadors at Constantinople to settle the Greek Frontier Question, contained in the "Morning Post" of yesterday, is true; and that the failure is owing to the refusal of the English Government to entertain the proposal?

MR. BOURKE: Sir, since the hon. Member mentioned this subject, I have read the announcement in The *Morning Post*, and the announcement is to this effect—that a telegram had been received from Vienna announcing the failure of the negotiations carried on between the Powers with a view to bring about the assembling of a Conference of Ambassadors at Constantinople to settle the Greek Frontier Question. Sir, the French Government has made a proposal to the Powers, and it is not true that it has failed. The next statement in the telegram is that the cause of the alleged failure is affirmed to be the refusal of the English Government to entertain the proposal. Well, Sir, as there has been no failure, of course that also is untrue. But there is also another inaccuracy, at any rate, in the telegram—namely, the statement that the proposal was not entertained in consequence of the English Government. Upon that I have to say that, even if the proposal had failed, which it certainly has not, it would be untrue to say that it was owing to anything that has been done by the English Government.

MR. MONK: Will the hon. Gentleman lay on the Table the proposal of M. Waddington, and any Correspondence that has taken place which is not of a confidential nature?

MR. BOURKE: The negotiations are still going on, and the details are not settled. I have no doubt that eventually all the Papers will be laid on the Table of the House; but, of course, hon. Gentlemen will see that it would be impossible to produce them at present.

LORD EDMOND FITZMAURICE: Will the Under Secretary kindly state whether it would be correct to say that the principle of mediation has been accepted by all the Powers, and that the Conference is in a fair way of being held?

MR. BOURKE: Yes; I think I may answer that Question in the affirmative. The principle of mediation has been affirmed by all the Powers. Of course, the details of the mode in which that mediation should be carried out are now under discussion.

ORDER OF THE DAY.

VALUATION OF PROPERTY BILL.

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

[BILL 71.] COMMITTEE.

[*Progress 21st March.*]

Bill *considered* in Committee.

(In the Committee.)

(2.) *Making of Valuation List.*

Clause 6 (Making of valuation list by overseers).

MR. RAMSAY moved, as an Amendment, in page 2, line 34, after "parish," insert—

> "And in estimating the yearly value of lands and hereditaments under this Act, the same shall be taken to be the rent at which, one year with another, such lands and hereditaments might, in their actual state, be reasonably expected to let from year to year; and where such lands and hereditaments consist of woods, copse, or underwood, the yearly value of the same shall be taken to be the rent at which such lands and hereditaments might, in their natural state, be reasonably expected to let from year to year, as pasture or grazing lands; and where such lands and hereditaments are bonâ fide let for a yearly rent conditioned as the fair annual value thereof, without premium, fine, or consideration other than the rent, such rent shall be deemed and taken to be the yearly rent or value of such lands and hereditaments in terms of this Act: Provided always, That if such lands and hereditaments be let upon a lease, the stipulated duration of which is more than 21 years from the date of entry under the same, or, in the case of minerals, more than 31 years from such date of entry, the rent payable under such lease shall not necessarily be assessed as the yearly rent or value of such lands and hereditaments, but such yearly rent or value shall be ascertained in terms of this Act irrespective of the amount of rent payable under such lease, and the lessee under such lease shall be deemed and taken to be also the proprietor of such lands and hereditaments in the sense of this Act, but shall be entitled to relief from the actual proprietor thereof, and to deduction from the rent payable by him to such actual proprietor, of such proportion of all assessments laid on upon the valuations of such lands and hereditaments made under this Act, and payable by such lessee, as proprietor in the sense of this Act, as shall correspond to the rent payable by such lessee to such actual proprietor, as compared with the amount of such valuation."

He said, that the Amendment which he had to move was as an addition to the clause, and it involved important considerations, which he thought would require the very earnest attention of the

Committee. This Bill had been introduced to secure uniformity in the valuation of property in England; and in proposing the Amendment which he was about to submit, his view was not only to secure an uniform valuation throughout England, but throughout Great Britain. As it stood, the Bill was not framed in such terms as to do anything to secure that uniformity which the right hon. Gentleman the President of the Local Government Board had expressed his desire to see established. A committee of overseers in each parish were to make up a valuation list once in five years, and they were to ascertain the rateable value of the property upon the basis prescribed by the Bill itself. The mode prescribed for making such valuation was not in any respect different from the practice that prevailed in England at the present time; and, therefore, in his opinion, the continued application of that system in England, as proposed in the measure, would not secure the uniformity of valuation which the House desired to establish. He had been told that the valuation which he sought to secure was not suitable to the feelings or the sentiments of the majority of the English people. No one in that House could desire more than he did to consider the feelings and sentiments, and even the prejudices, of the people of England; but he did not believe that the ratepayers of England were so enamoured of the expensive and complicated process which now prevailed, and which the Bill was intended to perpetuate, as to prefer it to a more simple plan, which would secure the uniformity which was so much desired. The objection which was raised to his proposal was that uniformity would not be secured, inasmuch as in England there were numerous instances where tenants held lands at less than their actual value, and that landlords continued to maintain tenants in possession at a rent lower than might be obtained by open competition; so that it was erroneous to assume, with such a state of affairs, that the Scotch principle could be applied to England. But it should be remembered that in Scotland also there were numerous estates where land was let at a less rent than would probably be obtained for it if thrown into the market; and no one at all acquainted with the country could doubt that that was the fact. Nevertheless, that fact did not affect the uniformity of the valuation secured in Scotland, and the Amendment which he moved simply sought to establish throughout Great Britain the uniformity of valuation already established in Scotland by the Act 17 & 18 *Vict.* c. 91. That Act had operated with satisfaction to the owners and occupiers alike during the period from 1854 to the present time, and should be extended to England. He could not conceive why, if a permanent change in the law of the valuation of property in England were contemplated, it should be desirable to revert to the practice of the past, and to continue to allow the gross and rateable value of property to be estimated according to the opinion of individuals appointed in each locality. Yet that was, in effect, the proposal of the Bill. The definition of gross value given in the Bill itself corresponded very much with the recommendations of the Select Committee appointed in 1867, which stated that the gross value should be—

> "The annual rent which a tenant might reasonably be expected, taking one year with another, to pay for a hereditament, if the tenant undertook to pay all usual tenant's rates, and taxes, and tithe commutation, or rent-charges, or any modus, or possession real, in lieu of tithes, if any, and if the landlord undertook to bear the cost of repairs and insurance, and the other expenses, if any, necessary to maintain the hereditament in a state to command the rent."

That seemed to him to be a reasonable proposal; but what he desired was not that the rent which a person might assume a tenant should be reasonably expected to pay should be the basis of valuation, but that the rent that the tenant actually did pay should be taken as the sole criterion of the value. The rent depended upon the agreement which was arrived at between the proprietor and the occupier; and he could not conceive it possible that there could be any good reason shown why, if a rule of that kind were adopted in one part of the Kingdom, it should not be applied to the other parts. If it were true that land was so much cheaper in England than in Scotland as to render it necessary to apply a different rule in the one country from that established in the other, surely some kind of evidence could be found to justify such diversity. It was only to be expected that the tenant-farmers of England should be found wealthier than those of Scotland; but he was not aware that there was any reason for such a statement, or that the cultivation of land was better or carried to a greater extent in England than in Scotland. On the contrary, considering the different quality of the soil of England from that of Scotland, he believed that the farms of England were cultivated to a less extent than those of Scotland, and that instead of the farmers of England possessing greater wealth than the farmers of Scotland as a class, it would be found that they were rather less enterprizing, and possessed less wealth, in proportion to the amount of land which they occupied, than the farmers of Scotland. Believing that to be the case, he felt it his duty to put before the House a few matters which he thought affected Scotland unfavourably; and with reference to them he would say that, according to the gross valuation of Scotland, it was the fact that the proportion of the value of real estate in Scotland corresponded closely with the population of the country as compared with England, and that in itself was sufficient to show—and anyone acquainted with the two countries would be satisfied with regard to the matter—that there was some injustice done to Scotland under the present system. With regard to the present law, he might be told that this Bill was not intended to alter it; but he should contend that it did alter it, and made it worse, not only in principle, but in practice, and that was the foundation for his great objection to it. He thought that the Bill would be a very important and a very radical interference with the existing practice, and it seemed to him that it would be more satisfactory to the people of England—that it would give greater satisfaction to the owners and occupiers of land in England—and would be more in accordance with justice, if the law now existing in his own country were adopted for England. In the last Report of the Board of Inland Revenue, they had the fact before them that the gross estimated rental of real property in England and Wales, including the Metropolis, amounted to £150,207,902, and from that amount £19,891,912 was in respect of railways, gasworks, waterworks, canals, &c., which were not chargeable with Income Tax under Schedule A. Now, in Scotland, the gross annual value of real property was £21,719,117. Of that sum £3,567,899 related to property not chargeable under Schedule A. In the Metropolis the valuation lists in force were binding for the Income Tax and house duty and assessment; but in Scotland the local county rates were levied upon the gross rental. Therefore the Income Tax was taken solely from the valuation roll, and upon that all the county rates, as well as Income Tax, were levied. He had not yet heard any good reason for opposing the introduction into England of the system which would bring about the uniformity desired. He thought he could show that the allegation that the people of Scotland were unequal in wealth to the people of England was borne out by facts. He had stated that the population of Scotland was nearly one-seventh of the population of England, and that the amount levied in respect of Income Tax exceeded that proportion. Now, if the people of England were really richer than the people of Scotland, that would not be just. If the Bill were passed in the present shape, it would perpetuate and aggravate this injustice to Scotland; and he was certain no right hon. or hon. Member on the opposite side of the House could desire to perpetuate such an injustice. That it was unjust might be best seen from the amounts respectively levied in England in respect of the inhabited house duty. The annual value of houses in England charged with the inhabited house duty was £47,476,028; whereas, in Scotland, it was only £2,910,571, or about one-sixteenth part. So that, in respect of the inhabited house duty, the houses charged in Scotland were equal in value to one-sixteenth of those charged in England; and when they came to the houses which were not charged with house duty, they had £43,703,737 in England as the annual value, and £7,525,189 in Scotland, or something less than one-sixth. One-sixteenth was the proportion which the inhabited house duty bore to what he believed would represent the fair incidence of taxation upon Scotland as compared with England, if it was equitably and fairly adjusted according to the condition of the people of that country. No one acquainted with the mountainous ridges, wild plains, and the barren fields of Scotland, could possibly conceive that there was any comparison with the fertile plains and rich valleys of England. Moreover, anyone knowing the two countries must be aware that the arable land under cultivation and green pasture in England was seven times in extent of the arable land and green pasture that existed in Scotland. A great part of the lands of Scotland were barren and of little or no value; and he was of opinion, therefore, that it was necessary that that fact should guide the House in dealing with this question and induce it to alter the present system, so that uniformity might be established throughout Great Britain. He had already referred to the defective practice of this country; but he could give, from his own experience, an example where for 12 years it was attempted to make up a valuation list without the aid of the rules which were laid down for guidance in the Valuation Act. He did not want to weary the House; but it might be sufficient to state that after trying to make up the valuation list of the County of Argyll from the year 1843 to 1855 as accurately as possible on a system corresponding very much to that which was proposed in the Bill before the House, instead of being found to be correct, the increments of the annual increase during that period only amounted to £10,500; whereas, under the operation of the Valuation Act, under which the rent paid by the tenant was made the sole criterion of value, the increase in the first year was £34,000; in the 12 years which elapsed from 1855 to 1867 there was an increase of £66,000; and during the 12 years from 1867 to 1879 there was an increase of £82,000. He knew that hon. Gentlemen sometimes shrank from altering the valuation, because they were of opinion that the rates increased in proportion; but, in point of fact, in the instance he was mentioning, the rates were reduced in proportion. For example, in the parish where he lived during the period to which he referred, of 24 years, from the increase in the annual value of the lands, whereas the poor-rate levied was formerly 3*s.* it had now been reduced to 1*s.* 6*d.* in the pound. This showed that it was not a hardship to the taxpayer that the valuation should be increased, for if the valuation were increased equally over the whole area over which the assessor was appointed, it had the effect of securing uniformity of valuation without detriment to anyone who paid the rates. He therefore felt that, without some such principle as he proposed being accepted as the basis for valuation, the Bill before the House would not only not secure the object they had in view, but would not be a permanent settlement of the question if it became law. He could not conceive that the House would go on imposing a positive injustice on the people of Scotland in making them pay higher rates than the people of England in respect of the same taxes, and if that was not to be perpetuated, they would require to take care that the same rule should be adopted in England as was adopted in Scotland to make up the valuation. Instead of the valuation of Scotland being one-seventh of that of England, it would be about one-tenth, or possibly one-twelfth. The Amendment was really an instruction to the overseers as to what they should do in making a valuation. On the second reading of the Bill, complaint was made that it would be difficult to get the annual value of lands let on lease; but that was a complete fallacy, because the value could be ascertained from the owner and the occupier alike by causing them to sign returns to the person by whom the valuation list was to be made out. Some reference had also been made to the difficulty of obtaining the real value of land let on lease; but the clause provided for that by stating that when a lease was for a longer period than 21 years the occupier of such land should be held to be the owner. He would beg to move the Amendment which stood in his name.

Mr. J. G. HUBBARD wished to know whether the purpose of the hon. Member for the Falkirk Burghs (Mr. Ramsay) in proposing the Amendment was to introduce the rent paid as the test of value, or, on the other hand, whether he proposed to supersede the whole course of English legislation on the question now before the House by the introduction of the Scotch system of valuation as brought into operation in 1854? If the first alternative was the one which he suggested, he (Mr. J. G. Hubbard), for one, would gladly agree with him, for he thought that taking the rent as the element of value was a remedy calculated to obviate the absurdities of the present system. But if the hon. Member desired to supersede altogether the system before the House, and to introduce the Scotch system of 1854, he ventured to think that the hon. Member altogether misinterpreted the meaning of the Scotch Act. It was true that that Act itself proposed the annual value of the lands as a test for rating purposes, and the Queen's taxes were levied upon the property as standing in the valuation roll. But when the hon. Member said that the poor rate in Scotland was levied upon the same basis, he was at a loss to reconcile that statement with the other facts of the case. The hon. Member had referred to the valuation of land in Scotland in 1865; but one of the measures passed with the object of carrying out that valuation, so far from speaking of rent as a criterion of value, provided that the power introduced in 1845 should not only be authorized to be exercised, but its exercise wasto be made imperative. That was the power by which it was provided that the deduction should be made for the costs of repairs and insurance, and other outgoings, and the adoption of that principle was repeated in subsequent paragraphs of the Bill. Moreover, it was said that the way in which the deductions had been made in Scotland was in accordance with the system which was then in progress in the legislation of England. Those Acts took the view that the Schedule of Deductions to be made throughout Scotland did not materially differ from those made in England. That was practically what was in the Bill before the House, and was consented to by the Board of Supervision in Scotland. The scheme, in fact, was that a value should be adopted, which was to be ascertained by making the deductions from the gross rental as required by Section 37.

Mr. RAMSAY, in order to save time, wished to give an explanation with regard to what the right hon. Gentleman (Mr. J. G. Hubbard) had said. His object was not to impose upon the people of England the Scotch system. For two or three successive years he had been endeavouring to induce the House to adopt the Scotch system, and he had submitted a Bill for that purpose; but he had abandoned the hope of being able to carry that Bill, and, therefore, it was not his wish now to induce the House to introduce the whole of the Scotch system. But the principal point which he did wish to see adopted, as an essential principle, was that which the right hon. Gentleman approved, and that which was enunciated in the Amendment he had proposed. His sole object in placing it on the Paper at this stage of the Bill was for the purpose of bringing the principle under the notice of the overseers, not as a definition in the Interpretation Clause of the Bill, but as an instruction as to the principles upon which they should proceed. With reference to what the right hon. Member had said with regard to the practice in Scotland, as to giving a deduction, he would beg leave to say that a Bill was now before the House, introduced by the Government, to repeal Clause 37 of the Scottish Poor Law Act, to which the right hon. Gentleman had referred, and which was the sole ground for his observations. Under these circumstances, he thought that it would be seen that the 37th section of the 8 & 9 *Vict.* was practically repealed.

Mr. J. G. HUBBARD would remind the hon. Member for the Falkirk Burghs that whatever opinion Her Majesty's Government might have of the 37th section of the Act referred to, yet he could not think that they were going to introduce that view into English legislation. If, however, the principle suggested by the hon. Member that rent should be a basis of valuation was properly defined, he, for one, should be very glad to see that introduced into the present Bill, in the proper place—namely, in Clause 108. The House would hardly consent to the introduction of the clause now suggested at that stage of the Bill, as it would practically stultify the whole process of legislation for the last 18 years.

Mr. BRISTOWE said, he was not able to support the Amendment of the hon. Member for the Falkirk Burghs (Mr. Ramsay). It seemed to him that the Amendment, if it meant anything, was practically a suggestion that Clause 108, so far as affected hereditaments, would take them back to the whole question of hypothetical tenants. In clause 108, the expression "gross value" was made to depend upon hypothetical tenancy; but it seemed to him that the proposed Amendment would be anything but an improvement. It was provided in the Amendment that in estimating the yearly value of lands and hereditaments under the Act, the same should be taken to be the rent at which one year with another such lands and hereditaments in their actual state might be reasonably expected to let from year to year. That, after all, was a question of the hypothetical tenant. The Amendment went on—

> "And where such lands and hereditaments consist of woods, copse, or underwood, the yearly value of the same shall be taken to be the rent at which such lands and hereditaments might, in their natural state, be reasonably expected to let from year to year as pasture or grazing lands, and where such lands and hereditaments are bonâ fide let for a yearly rent conditioned as the fair annual value thereof, without premium, fine, or consideration other than the rent, such rent shall be deemed and taken to be the yearly rent or value of such lands and hereditaments in terms of this Act."

But supposing that the tenant to whom lands were let at yearly rent had improved them, then there came the question of the improved rateable value; and a difficulty arose in the interpretation of this clause. In his opinion, Clause 108, as it stood, was far better than the suggestion of the hon. Member. For these reasons, he could not support the Amendment.

MR. CLARE READ said, that as he had an Amendment on Clause 108 to the effect that—

> "Where a hereditament is bonâ fide let for a yearly rent, without fine or consideration other than the rent, such rent should be taken as the basis of valuation,"

he should like to say a few words in support of the Amendment of the hon. Member for the Falkirk Burghs (Mr. Ramsay). He might say, however, that he was unable to agree with every portion of that Amendment. Nor did he think that they need complicate the subject by the introduction of matters relating to Scotland, such as the hon. Member had endeavoured to introduce. Neither did he think that it was necessary, in that place, to deal with lands and hereditaments let upon lease, for they were then entirely upon tenements let from year to year. He apprehended that the clause proposed by the hon. Member must be one taken from some Scotch Act. He did, however, entirely agree with this—that where "lands and hereditaments were let *bonâ fide* at a yearly rent conditioned on the fair annual value thereof without premium, fine, or consideration other than the rent," then that it was a sound principle to take such rent as the value of the lands. It had been said that it was impossible to consider both the value and the rent. In this instance, he thought that the rent must be taken as the criterion of value, or otherwise they would have an exceptionally high assessment in consequence of the action of the Surveyor of Taxes. He wished to draw attention to this, because it was the principle of the Bill, and he considered a dishonest principle, for it put matters in the hands of that functionary. The practical working of that system everyone knew. Where the rent was fair, and there was no fine, premium, or consideration, then the value ought not to be calculated at more than the rent. He would contend that the Surveyor of Taxes could upset any valuation that might be made. They might have a perfectly fair rent paid, or annual value fixed on the premises; but, according to his experience, it would be found that someone would be found to say that the property was worth more than it was let at. The question was, were they going to allow every assessment to be based upon rent paid, or were they going to let the Surveyor of Taxes place the value of the property at what figure he pleased? A man might let a farm for £200 a-year which everyone knew to be worth not £150; was it right to allow the landlord to pay property tax on the £150, although he actually received £200? It would be much better to take as the standard of value the actual rent paid, for, after all, rent was a fact and value only an opinion. It was no answer to this to say that in England there were many farms which were let at very low rents; but, with regard to farms let upon lease, he would exclude them from the operation of the clause. Leases prevailed more extensively in Scotland than in England, and that was one principal reason why rents were higher in that country than in England. He would exclude leases altogether from the clause, and deal solely with property held from year to year. If any reservation were made on the part of the landlord by which the tenant was bound to make some improvement, or by any means less rent was received by reason of any reservation, then he would exclude that case from the operation of the clause. He would go further, and say, that if a landlord persisted in encumbering an estate with ground game, or even with timber, and letting it at a low rent in consequence, then he should treat such a case as within the rule with regard to reservation. He believed that a fair rent put far more money into landlords' pockets than excessive rents in the long run. Having had considerable experience in the management of estates, he had found that more profit was made in the end by letting at fair rents than by demanding extortionate sums, though, unhappily, the present Law of Distress enabled an extortionate landlord to secure his rent at the expense of the other creditors. He could name two or three instances, especially in his own county, where the rent had been 10*s*. an acre more than it ought to be. In recent years no one would take the farms, and, in consequence of that, farms which had been let at 30*s*. an acre came to be let at 10*s*. an acre. It would be monstrously unfair that the tenant who had taken a farm at a rent of 10*s*. an acre should pay upon the valuation of 30*s*. an acre, because the Surveyor asserted that that money had previously been paid for it. With regard to small farms, landlords had to lay out considerable sums of money, and it was only by so doing that they were let at the rents which they fetched. With respect to accommodation land, it had been said, how unfair to tax the poor tradesmen who might occupy his pasture land in the vicinity of a town, and pay £5 or £6 an acre for it, when it was only worth £2 or £3! To that argument all he could say was that the situation of land had a great deal to do with its value, and if £5 or £6 an acre were given for it, that might fairly be taken to be the value of the land. It seemed to him that in taxing the tradesman upon that rent they were only doing what the Poor Law said ought to be done—namely, compelling every man "to contribute according to his ability." If it were true, as it was sometimes said, that it was the owner and not the occupying tenants in England who paid the rates, then rent and rates ought to go together; and if a man paid 10*s*. or 15*s*. an acre rent more than the land was worth, and had to pay 2*s*. or 2*s*. 6*d*. extra for rates, he would not be disposed to continue to pay that rent. They had been told that this Act had been in force in the Metropolis, and had given universal satisfaction. To whom? To the Government officials, taxgatherers, and probably the Local Government Board, because it had increased the assessments so much that the people did not know the extra amount of rates which had been put upon them during the last few years. He was told, however, that this Act did not operate so much to the satisfaction of every householder; for it had not been satisfactory to householders to find their water rates and other taxes based upon an increased assessment, and they did not altogether approve of the scheme. No doubt, they would also be told that it was not the Surveyor of Taxes that had raised the assessments, but that the Act appointed an Assessment Committee having local control in the matter. An Assessment Committee might be composed of tradesmen who would think it right to assess the houses of gentlemen living on their means, or professional men, at a higher rate than they did their own shops. He had known a case where a medical man had thought it necessary to acquire a suitable residence in a particular district, and, in consequence of the high rent he paid, the assessments were raised all round. In Scotland, there was no doubt whatever that the Surveyor of Taxes virtually controlled the assessments. Where rent was taken as the basis of valuation, he must control the assessment. He would re-iterate that he was more in favour of general valuation than of the rent paid being taken as the value; but still, he thought, under this Bill, the rent was the best criterion. The Inland Revenue officers were very pleasant men; but he would quote one fact, to show what advantage even those high-class officials took of ignorant or careless landowners. The land tax was over £1,000,000, and should be deducted from the assessment before any property tax was paid; the annual sum allowed was only £450,000; so Schedule A was paid upon more than £500,000 than it ought to have been. The Surveyors were very quick in detecting mistakes where they were made against themselves; but they permitted ignorant persons to pay more than they ought, without any remonstrance. He would illustrate what he meant by giving an instance of the property tax assessment. In a very small parish just outside his own, the principal occupiers were small farmers who had risen from the ranks. All were entitled to deductions from Schedule B, and many ought not to have paid at all. The sum charged under Schedule B at 3*d*. was over £11; but when the proper deductions were allowed, the amount was under £5. although the property tax now stood at 5*d*. In conclusion, he should not like to be the Government which appealed to the country some 15 months after this Bill passed into law—for he supposed the Government meant to pass it. The members of the Assessment Committees throughout the country were men of great influence and importance. This Bill would upset all their previous work, and would make them raise assessments generally, which would so harass and irritate the ratepayers that it would tend to reduce the Conservative majority in the next Parliament.

Mr. HIBBERT ventured to call attention to the fact that the speech of the hon. Member for South Norfolk (Mr. Clare Read), as well as that of the hon. Member for the Falkirk Burghs (Mr. Ramsay), in moving the Amendment, although, no doubt, in Order at that stage of the Bill, yet did not properly apply to the clause under consideration. It seemed to him that the proper time for the discussion of the Amendment was when another clause was before the Committee. He rose for the purpose of asking his hon. Friend the Member for the Falkirk Burghs not to press his Amendment further; for he thought that, from the observations which had already been made, he must have observed that a proposal, like the present, to impose the Scotch law upon England, was one that would hardly be acceptable to the English people. In his opinion, it was very undesirable to change the entire system which had been so long in use in England, because a great deal of trouble had been taken in reducing it into shape, and there had been legal decisions on many points of it. If a change were made, the overseers would have great difficulty in knowing what the law was, or in what way they could make up the valuation lists. For these reasons, he thought that it was not desirable to bring the Scotch system into the English Bill; and, thinking that this was not the proper place to raise the discussion, he would ask his hon. Friend to withdraw the Amendment.

Mr. STAVELEY HILL would also venture to request the hon. Member for the Falkirk Burghs (Mr. Ramsay) to withdraw his Amendment, for he considered that the question would be more properly discussed when they came to Clause 108 of the Bill. He did not think that it would be desirable now to come to any decision on the matter, for it would prevent them discussing it on a future occasion.

Mr. MUNTZ thought the Committee was much indebted to the hon. Member who had introduced the Amendment (Mr. Ramsay), and also to the hon. Member for South Norfolk (Mr. Clare Read), for the information which they had given. It should be remembered, however, that it was proposed by the Bill that the value of property should be taken at the gross rent, or what was equivalent to it. The value of the property from one year to another at the real rent obtainable was, in fact, the actual yearly value. Still, it was true that they were taxed upon a nominal value, and that the house duty and the property tax were both paid on this entirely imaginary value. Moreover, the landlord now contributed little more than two-thirds of the property tax on buildings, as the tenant could only deduct the tax from the actual amount paid for rent, although he had to pay the tax on the gross or imaginary value. He thought his hon. Friend had done good service by bringing the subject before the Committee; but he would recommend that the Motion should not be pressed to a Division.

Sir WALTER B. BARTTELOT thought that there should be an expression of opinion from the front Treasury Bench on this subject, and that the Government should state whether they intended that the rent should be taken as the value of the property. It was his firm belief that if the question of taking rent were more or less settled, the Bill would do far more good than if left as it at present stood. It was unnecessary to wait until they came to Clause 108 for the expression of the opinion of Her Majesty's Government; for unless something was said now, the point would be raised on every possible occasion in the Bill, and would consequently very much hinder its progress. He was sorry not to see the right hon. Gentleman the President of the Local Government Board in his place, and still more so for learning that illness was the reason for his absence. He thought that the Government should make up their minds and come to some determination upon this point, which was by no means an unimportant one. It seemed to him that they should not lose sight of the fact that if the rent was not taken as a criterion of value one of two things would happen. First, as now, the Surveyor of Taxes would raise the value to the highest possible point, or he would step in and state what he thought the value ought to be, looking at rents paid for similar land in the immediate neighbourhood, which was the great complaint now made in the assessment of lands, houses, and to the Income Tax. That was a very important matter to consider, and he thought that some indication of the opinion of the Government should be given. He had risen, not because he was able to support the Amendment of the hon. Member for the Falkirk Burghs (Mr. Ramsay), but because he considered that, although this was not absolutely the right time to discuss the matter, yet that it was very material in the interest of the measure that some expression of the views of Her Majesty's Government should be given on so important a point.

Mr. PELL would also like to know whether the Government were willing to accept the principle that the rent was to be the criterion of value? For if they gave an early expression of their views a great deal of time would be saved. He did not intend to trouble the House with many observations on the matter at that period, but would reserve them for a future occasion. He would only state that he was distinctly in favour of the Amendment, and he did hope that the Government would at once say what their intentions were with regard to the point.

Mr. SALT very much regretted—and he felt sure that the House would share his regret—that his right hon. Friend the President of the Local Government Board was absent from his place through illness. Under these circumstances, he would endeavour to do his best to occupy his place. The hon. Members who had last spoken had commented upon the stage of the Bill in which the hon. Member for the Falkirk Burghs (Mr. Ramsay) had introduced his Amendment. He had no complaint to make against his hon. Friend—indeed, he rather thanked him for bringing the matter forward—and this for two reasons. First, because the hon. Member, in the course of his interesting speech, had laid before the Committee his knowledge and experience with regard to the Scotch law; and, secondly, because, by the introduction of the subject at this point, he had cleared the way for the future progress of the Bill. Even if the hon. Member had succeeded in obtaining the approbation of the House to his Amendment as it stood, yet he (Mr. Salt) should still have been obliged to ask him to postpone the insertion of the Amendment to a later period of the Bill for technical reasons. But none the less he considered that the discussion which had taken place had been of considerable use, and had drawn forth some very interesting and valuable speeches. He must deal for a minute or two with the Amendment introduced by the hon. Member, and he hoped that he might be induced by the representations which had been made on both sides of the House to withdraw it, leaving the very important point raised by it for discussion on a subsequent clause. The hon. Member for the Falkirk Burghs had dwelt upon the necessity or desirability of creating uniformity in these matters between England and Scotland. For his part, he would be very glad to see anything done which would bring the various parts of the Kingdom, and, he might add, Scotch and English Members, nearer together, whether in legislation or anything else; but he was afraid they had not yet arrived at the time when the Scotch people would be prepared to accept all the English laws, or the people resident in England to accede to the introduction of Scotch laws. He had noticed with some interest, when the hon. Member for the Falkirk Burghs was pressed with regard to the details of his Amendment, that he acknowledged he did not propose to bring all the details of the Scotch law into the Bill. Therefore, the uniformity, upon which the hon. Member laid so much stress, was not seriously proposed even by himself. Another point which he could not pass over was partly alluded to by some other hon. Members. The extreme inconvenience of introducing a new system of procedure into the business of the country would, as stated, be very keenly felt. It should be remembered—and it was a point that one was very apt to forget—that an Act of Parliament began its history only when it left that House. People had to deal with complicated clauses not in the way of pleasant discussion as they were treated in that House, but in the endeavour to carry the provisions into daily use. Every fresh Act of Parliament had to be dealt with by those concerned in local matters with great care, and to their great honour it could be said that they evinced every desire to carry it into effect. By that means they gained a knowledge and experience of a system and gradually worked it into shape. And it should be remembered that an Act of Parliament, revolutionizing a whole system, would take many years before it could be worked into daily use and practice. At the present time, as hon. Members were well aware, the whole English procedure was different from that in use in Scotland, and the system in use in England was one to which the local bodies were accustomed by daily use and practice, and had been carried into effect by various decisions in Courts of Law, and after difficult and expensive inquiries. If, with the approval of the House, they endeavoured to introduce into the English system of valuation an entirely new method of procedure, everyone practically acquainted with the matter would know that such a course would give rise to endless inquiries and endless litigation. That was one strong reason why he could not accept the Amendment of the hon. Member for the Falkirk Burghs. Further, he might go into the details of his Amendment, and point out the matters to which he could not assent; but after the discussion that had taken place it was not necessary to do so. He might, however, say that there was one part of the Amendment which he held to be perfectly sound in principle. It was the first part, which was to the effect that—

> "In estimating the yearly value of the lands and hereditaments under this Act, the same shall be taken to be the rent at which, one year with another, such lands and hereditaments might in their actual state be reasonably expected to let from year to year."

That he held to be perfectly sound in principle. How far the insertion of the actual rent in the valuation list could be carried out in practice, having regard to the circumstances of the case, he did not know. It should be remembered that there were various circumstances under which property was held which would tend very much to complicate the matter. He noticed that the hon. Member for South Norfolk (Mr. Clare Read), in giving his opinion, not merely upon the clause of the hon. Member for the Falkirk Burghs, but upon many parts of the Bill, and, indeed, he might say upon things in general, in the course of his argumentative and able speech, said, speaking of rent, that in the consideration of the clause relating to rent as the gross value leases must be left out of the question altogether. If, however, they were to consider the question of rent seriously, they must not deal with the matter in that pleasant way, and must not shut their eyes to the duty they had to discharge. In looking over a broad landscape they should not gaze merely upon the sunshine, and avoid observing the rain cloud. They must deal with the whole thing, and if they made rent the basis of valuation they must look at all the consequences of what they were doing. It would be necessary gravely to consider the whole question, and to remember that they were going to establish a new system; and that if they were going to get some new advantage from it they might possibly get some disadvantage, and then they could balance the advantage and disadvantage, and would be able to come to a conclusion. If rent, pure and simple, could always be taken as the value, that would, of course, be a most charming way of solving the difficulty; but they must deal with things as they found them, and with people as they were, and when they found that some circumstances—leases, charges, and other matters affecting rent materially—complicated the question, some solution of how they were to be dealt with must be arrived at before they could come to any decided opinion. He believed he was speaking the views of both his right hon. Friend who was in charge of the Bill (Mr. Sclater-Booth), and his right hon. Friend near him (the Chancellor of the Exchequer), by saying that when the time came in the discussion of the Bill for the question to be raised of rent as the basis of valuation, the Government were prepared to go into it in a friendly and, at the same time, cautious spirit. He made no promise, and he gave no pledge, for promises and pledges led to misunderstandings; but when the proper time came for dealing with the question, his right hon. Friend would be prepared to go into the discussion of rent as a basis of valuation in a thoroughly impartial spirit, but aiming as much as possible at the attainment of what they all desired, a clear and fair system of valuation.

Mr. RAMSAY very much regretted that his remarks had not been understood, or that he had failed to make his meaning clear. His Amendment was divided into two parts. The hon. Member for South Norfolk (Mr. Clare Read) complained that he dealt with leases; but it was with leases of long duration that he proposed to deal, and that was necessary. He only proposed to legislate for leases of more than 21 years' duration, as the hon. Gentleman would see what he proposed was that—

> "Where such lands and hereditaments are bonâ fide let for a yearly rent conditioned as the fair annual value thereof, without premium, fine, or consideration, other than the rent, such rent shall be deemed and taken to be the yearly rent or value of such lands and hereditaments in terms of this Act."

If the hon. Gentleman (Mr. Salt) had said he was prepared to accept the principle contained in these words, he (Mr. Ramsay) would not have pressed them; but he was now asked not to go to a Division. The Government, by placing the 108th clause at the end of the Bill, without fixing the principle upon which assessments were to be ascertained, had been guilty of a grave error, and he thought these principles should be first settled. The Committee could not proceed to legislate in utter ignorance of the principles upon which assessments were hereafter to be ascertained. If the hon. Gentleman would accept the principle contained in the words he had just quoted, he might see his way to withdraw his Amendment; but at present he would give neither promise nor pledge. If that were so, where was the value of the present discussion? They would have it all over again on Clause 108. If the Government would accept the principle of the Amendment, he would withdraw it; for it merely was intended to raise the broad question whether rent was to be the criterion of value, as a matter of fact, and not as a matter of opinion. Their assessment of rates should be upon matters of fact, and not upon matters of opinion, for opinion would, of course, vary, and must necessarily vary in different localities. ["Divide, divide!"] Hon. Members were impatient; but he thought he had reason for putting this matter at length, as he clearly had not made himself understood.

Mr. PAGET thought the whole object of the discussion would be lost if some understanding were not arrived at. They desired, in a somewhat irregular way, to get rid of a difficulty which had overshadowed the whole of this measure. It seemed to him, however, that the hon. Member opposite (Mr. Ramsay) demanded too much. He admitted that he had a very great acquaintance with the measure; but the hon. Member insisted on having his own words, and nothing but his own words, and demanded that the Committee should swallow these or nothing. He understood, from the speech of the hon. Gentleman in charge of the Bill, that he was favourable to the principle of accepting rent as a basis of valuation. It was true he did not pledge himself to the particular words of the Scotch Act, because, though they might be perfectly applicable to Scotland, they might not be altogether suitable to England; but he did accept, as a general principle, that rent was to be the basis of valuation. Other words might be found capable of expressing this more clearly to English minds; but the principle he had indicated was, he understood, thoroughly accepted by the Government, and, that being so, he thought they ought to get on with the Bill.

Colonel RUGGLES BRISE considered it most important that the Committee should know upon what principle this Bill was to be based as regarded valuation. The hon. Gentleman (Mr. Salt) had said that it was as fair a basis as could be arranged; but he wanted to know whether the hon. Gentleman would agree that rent actually should be the basis? That was what they wanted to know, for they did not want to be left in the hands of Inspectors, Surveyors of Taxes, or other Government officers. There were many other ways of estimating the valuation, all more or less unfair; but this principle of taking rent as the basis was satisfactory. At present, where rent was low, the Surveyor of Taxes had the opportunity of putting up the assessment, and so of making himself very unpleasant all round. That was the point which they all wished to obviate. Where the rent was high, the Surveyor of Taxes would not lower the assessment, and could not, if he wished it, for the rest of the Assessment Committee would not let him; but where it was low, he had the power of dealing with it, and was sure, almost invariably, to put it high. A case of this kind had come under his (Colonel Brise's) own knowledge. A large farm of 450 acres was let at 25*s*. an acre; while a neighbouring farm, of half the size, adjoining the estates of a gentleman who preserved highly, was let at £2 per acre. They were both of much the same class of land, so far as the land went. As soon as the Surveyor found out the difference in the rents, he raised the assessment of the larger farm. But the gentleman who took the smaller farm hired it principally for the shooting, and did not care for the farming so much. Yet, in consequence, his neighbour's assessment was raised 10*s*. per acre. Two years after, the tenant of the 250 acres was bankrupt, and then the farm let for much less. Yet, during these years, the tenant of the larger farm had to pay assessment on 10*s*. an acre more than his land was really worth. He had known cases of the greatest inconvenience and hardship resulting from this arbitrary system, and from the vexatious system pursued by the Surveyor of Taxes. That being so, the Committee could not be surprised that the whole country was alarmed at the idea that control was to be given in this matter to the Government officials. He hoped this matter would be settled, and that they would have some more definite answer from the Government before the discussion went any further.

Mr. SALT feared that the answer he had given had not been quite clearly understood. He intended to convey that he would accept the principle of rent, subject to the reservations that, in the first place, there were many cases in which the principle of rent pure and simple did not apply; and, secondly, that he hoped they would have a full discussion, either on the Amendment of his hon. Friend the Member for South Norfolk (Mr. Clare Read), on Clause 108—

> "Where a hereditament is bonâ fide let for a yearly rent without fine or consideration other than the rent, such rent shall be taken as the aunual value,"

or that at some other stage they should have the question pure and simple raised. In that way, the opinion of the Committee would be elicited. They would get as much information as they possibly could, and they would be able to arrive at a fair conclusion. But he would be doing very wrong if, upon an Amendment which he could not accept, he were to undertake to say, broadly and carelessly, that they heartily accepted the principle of rent as the basis of valuation. He would say, quite frankly and fairly, that if they could see their way, after full discussion, to accept the principle proposed, they would only be too glad, for the Government sympathized with the supporters of this principle, and wished to aid them. But it would not be fair for him to say he would accept any principle proposed to him without warning the Committee that it might happen, though he did not think it would, that when they came to discuss the question there might be very great difficulty in carrying it out.

Mr. PELL could hardly think that the hon. Gentleman was taking the wisest course in speaking as he had done. He hoped that they would have had some statement from him more definite and distinct. He quite understood that the exact terms in which they would make rent the basis of value could not be now stated; but he did hope that they would have had some more favourable expressions from the Government with reference to acceptance of rent. The hon. Gentleman, in his first speech, said it would be the duty of the Government to look at this question very carefully. But that was their duty in any case. They could not say that sufficient time had not been given them to inquire into the circumstances. This Bill had been a long time before the House, and these Amendments proposed by the hon. Member opposite (Mr. Ramsay), and by his hon. Friend the Member for South Norfolk (Mr. Clare Read), had been upon the Notice Paper of the House for a very considerable period of time. They were there last year;

opinions had been expressed upon them; they had been discussed very freely in the public Press, and it was hardly fair to tell the Committee that the Government were now prepared to consider the matter carefully. Again, the hon. Gentleman had said the Government must deal with what they found to be the opinion of the Committee. Well, if he (Mr. Pell) did not mistake, the opinion of the Committee was distinctly in favour of the principle that rent should be the basis of value; and he, therefore, would ask the Government whether, if they would not accept the Amendment of the hon. Gentleman opposite (Mr. Ramsay), they would accept the Amendment of his hon. Friend the Member for South Norfolk (Mr. Clare Read), which was simpler in its terms, and met the requirements of the case in a better way? The earlier part of the present Amendment, however, did very well; but it was overloaded with the latter part. The hon. Member would have made out a better case, and his position would have been an easier and a better one, had he left that out. He would be sorry to see the debate drop at the point to which they had now come, and to find hon. Members retire from the position they had taken, upon the unsatisfactory and flavourless statement just made from the front Bench. He did not know what to do about the Amendment, because he could not entirely agree with it; but, at the same time, he was certain that they must have some more precise statement from the Ministerial Bench than they had yet heard. If the Government did not mean to make rent the basis of value let them say so at once, and then the Committee would know the exact position in which they were placed. No doubt, on the whole, the Bill was a good one; but it would certainly be improved by the introduction of this principle. He knew there were many cases where it would not apply; but in 99 cases out of 100 they could by no possibility get a more satisfactory valuation than the one now proposed. If that were so, he hoped the Government would not, thus early in the discussion, discourage the Committee by giving so undecided an opinion on the matter as that to which they had just listened.

THE CHANCELLOR OF THE EXCHEQUER said, he did not quite understand the feeling of the hon. Gentleman who had just spoken (Mr. Pell), or what he wished, or expected to be said, more than had been said by his hon. Friend (Mr. Salt). His hon. Friend had said that this was a question of great importance, upon which the precise wording of the clause required careful consideration. But as regarded the principle, the Government would accept, and would desire to give effect to the principle that the *bonâ fide* rent should be taken as the basis of value. How to divide *bonâ fide* rent from other considerations required, however, careful wording.

SIR BALDWYN LEIGHTON hoped that after what had been stated by the Government the hon. Member opposite (Mr. Ramsay) would not press the Amendment at present before the House. Many of the hon. Members who were in favour of the principle did not altogether accept the words of the Amendment, because, however well they might be suited to Scotland, they were not exactly what was wanted in England. The conditions of the two countries as regarded the letting of agricultural land were different; whereas in Scotland the land was let almost, as it were, by auction to the highest bidder, that was by no means the case in England. Speaking as the Chairman of an Assessment Committee, he could not support the Amendment of the hon. Member opposite.

MR. RAMSAY was very much surprised at the feeling hon. Members showed against the introduction of any part of the Scotch law into England. The principle he proposed had been found to be of very great utility in Scotland; and yet a great objection was taken to it because it was a Scotch law, hon. Members forgetting that the law was made by this House. There was no distinction between Scotland and England, and he did not see why what was good for Scotland should not be applied in this country also. But, with the view of testing the question and setting himself right with the Committee, he would propose to amend his Amendment by leaving out the greater part of it, and he would make it read as follows:—

"And in estimating the yearly value of lands and hereditament under this Act, the same shall be taken to be the rent at which, one year with another, such lands and hereditaments might in their actual state be reasonably expected to

> let from year to year; and where such lands and hereditaments are bonâ fide let for a yearly rent conditioned as the fair annual value thereof, without premium, fine, or consideration other than the rent, such rent shall be deemed and taken to be the yearly rent or value of such lands and hereditaments in terms of this Act."

If, however, his hon. Friends generally were of opinion that the statement of the right hon. Gentleman the Chancellor of the Exchequer did promise the acceptance of the principle, without reference to the wording, he would not press his Amendment.

Mr. STANSFELD was of opinion that his hon. Friend (Mr. Ramsay) would be entirely justified in withdrawing his Amendment after the statement of the Chancellor of the Exchequer. They had been discussing the question under considerable disadvantage, due to the absence of the right hon. Gentleman the President of the Local Government Board (Mr. Sclater-Booth). No doubt, his hon. Friend (Mr. Salt) felt this difficulty, and so had many other Members of the Committee. But after the statement of the Chancellor of the Exchequer, with the authority which he naturally possessed, he thought his hon. Friend might withdraw his Amendment, for he had been able to give with sufficient explicitness and clearness the assurances which they required. He noted with satisfaction that the Chancellor of the Exchequer told them that words would be introduced in the Bill in order to carry out this principle of making rent the basis of valuation. [The Chancellor of the Exchequer: Yes.] That statement implied that some change would be made in the Bill, as at present drafted, and that was as far as the Committee could expect the Government to go at present.

Mr. CLARE READ said, he understood the Chancellor of the Exchequer to say that he would take the *bonâ fide* rent as the basis of assessment. That entirely embodied the principle of his Amendment, and he was quite satisfied with the explanation.

Mr. RAMSAY was quite satisfied if the principle was conceded. He was in no way wedded to any precise words.

Amendment, by leave, *withdrawn.*

Clause *agreed to*, and *ordered* to stand part of the Bill.

Mr. Ramsay

Clause 7 (Form and contents of valuation list).

Mr. HICKS said, the clause at present stood thus—

> "The valuation list shall be in the form given in the 3rd Schedule to this Act, or in such other form as the Local Government Board, after communication with the Commissioners of Inland Revenue, from time to time direct."

He proposed to leave out all the words after the word "Act." There was at the end of the Bill a table of the way in which the valuation list was to be made up, and he had no doubt that table had been prepared with the very greatest care by the right hon. Gentleman who brought in the Bill. Still, should the table require any amendment, it surely could be amended before this Bill became law. If it required any amendment when the Act was in operation, he was of opinion that the alteration should not be made without the approval and the consent of Parliament. Of late years, a practice had crept in of delegating to officers of Public Departments duties which properly belonged to the House, and he considered it a most objectionable proceeding. He, therefore, would move this Amendment, and he felt justified in doing so by the remarks which had fallen from many hon. Members during the discussion on the Amendment just withdrawn with regard to the interference of the Surveyor of Taxes.

Mr. SALT explained that the words were inserted more as a matter of convenience than for anything else. It was not a matter of any great importance, except that it was felt undesirable to put Schedules into a Bill of this kind which could not be altered without an Act of Parliament. There was no intention of altering the Schedule in the Bill, and this provision was merely inserted as a safeguard, in order that slight alterations which might be subsequently found necessary could be made without going through the formality of passing an Act of Parliament. He believed that the Inland Revenue, under the present Act, had power to prescribe the form in which their Returns should be made, so that this proposition was in no way exceptional. There was no principle involved, and he hoped his hon. Friend would not press the Amendment.

Mr. WHITWELL asked whether the Committee would be able, when they reached the Schedule, to make changes in it, as, unless that were the case, the present clause would prejudge the question?

MR. SALT, in reply, said, that the Committee would, of course, have that power.

MR. GOLDNEY was by no means inclined to admit that there was no principle involved in the Amendment. If they allowed the clause to pass, the overseers would be very likely to get into difficulty in making out their Returns; while, if the table were in the Bill, there could be no difficulty. It would not do to have objection taken to these lists on the ground that some new rule or order had been issued from the Central Office in London, which varied or changed the whole course of procedure. He did not see why the House was not perfectly competent to deal with so simple a thing as the form of claim in a rate-book; and he did not see, also, why the overseers should not find in the Act itself full and complete information as to what they ought and what they ought not to do.

MR. HIBBERT could not see any objection to allowing this power to the Local Government Board, although he thought the extension of the power to the Commissioners of Inland Revenue was very objectionable.

MR. PEASE hoped the Amendment would have the support of the Committee, for he looked upon these words as another attempt to keep some matter under the control of these authorities in London, when they were perfectly capable of attending to it and dealing with it in the country. If the Schedule in the Bill were confirmed and approved by the Committee, it ought to be the one on which all Returns should be made. There could be no greater inconvenience than to allow the Commissioners of Inland Revenue or the Local Government Board authority to alter the Schedules on which these rates were to be made. All the House had to do was to see that the Schedule was properly drawn, and if then it did not work well, by far the best thing was to ask the House to amend it.

MR. CLARE READ said, the Committee would see from the Amendment what a centralizing measure this was. It not only fettered all the local authorities, but it also gave these two Departments in London power, in any way they thought proper, to override and annoy them. He hoped that his hon. Friend would go to a Division, and that all hon. Members would do all that was in their power to take as much of the mischief out of the Bill as they possibly could.

MR. ASSHETON hoped the Government would give way, as these words ought certainly to be left out. Nothing could be more anomalous than to say that these tables were to be made out according to the form given in the Act, unless the Local Government Board preferred some other form.

MR. STANSFELD wished to remind the Committee that this was merely a Consolidation Clause, enacting the existing law. It was simply the clause that was to be found in the Act 32 & 33 *Vict.* c. 67.

MR. RYLANDS entirely agreed with the Amendment, and hoped the Committee would hesitate before they gave this power to any central authority to interfere with the Schedule. Before the Bill left the Committee, a proper form of Schedule could certainly be settled. He, for one, looked with so much jealousy upon centralization in any form that he sincerely hoped the question would be pressed to a Division.

MR. J. G. HUBBARD hoped, on the contrary, that the matter would not be pressed to a Division, for he desired, and expected, that the Government would give way. It was impossible for anybody who knew anything about the ways of Government Departments in this country to feel inclined to trust them implicitly with powers of this kind. The Schedule, at present, was a long way off, and there was plenty of time for the Government to alter and improve it. If, however, it would not work in the form in which it passed the House, it certainly ought to be brought to the House for amendment.

MR. SALT did not think it was worth while to spend any more time in discussing the matter. If the Committee wished to see these words removed from the clause, he would not object.

Amendment *agreed to;* words *struck out* accordingly.

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 8 (Deposit and transmission of valuation list to assessment committee and surveyor of taxes).

Mr. PELL moved, as an Amendment, in page 3, line 12, after the word "duplicate," to insert the words "and any special valuation made by the assessor of railways and canals." He was quite aware that, by proposing to insert these words in the clause, he was raising the question of the principle upon which a very large amount of property in this country should be valued. He certainly, therefore, would not have ventured to place this Amendment upon the Paper, unless he had felt that there were good reasons to be urged in favour of it, and reasons to which effect had been given in another part of the Kingdom—namely, Scotland. What was the present position of the overseer of a parish in the country, when about to insert in his valuation list an estimate of the value of the railway line which passed through his parish? What could that poor man know about the matter, and what reasonable means had he of coming to a conclusion? What he usually did was to go to the overseer of the neighbouring parish and ask him how he was to make his estimate? The reply he usually got from his friend was that he really did not know; but that he had made a shot at it of so much, and he might perhaps try a little more, and see how the experiment answered. In some such way valuation lists in the country were made out in respect of railway property, and such a thing was neither creditable to the country nor in agreement with common sense and prudence. Now and then, when a parish or a Union, under the apprehension that they were suffering from grave injustice, called in experts or professional men, it had happened that an assessment had been raised 1,400 per cent, while 300, 400, or 500 per cent was not at all an uncommon or an unusual increase. In these cases, too, the companies had nearly all agreed to the assessments. Mr. Justice Field, when engaged in a case of this kind for a Union, said—

> "The parish officers have no means, before coming into this Court, of testing the accuracy of the figures on which the company rely."

If that were so, the overseers certainly could have no means of ascertaining whether the valuation was correct. When railways were first constructed—and it was the case with canals also—the idea was that the companies would take a certain toll for the use of their road by the public; and if that had been the case, there would have been no difficulty in assessing the rateable value of any part of the line. But that was not the case. The railways were great carriers, and the idea of a person running his own engine along the line had never been practically carried out. But not only were the railways great carriers, but they were owners of steamboats and managers of hotels, and it was quite out of the power of persons who ordinarily filled the posts of overseers to form any opinion as to the amount of the valuation they should place in their lists. The Legislature were now endeavouring to help overseers and the public and clerks of counties to ascertain the rateable value of property. Up to the present the law had not done much. The 8 *Vict.* c. 20, which comprised, in one general Act, the scattered provisions of other Acts, enacted that each railway company should cause an annual account and abstract to be prepared, showing the detailed receipts and expenditure of the company for the year ending December 31. When that was prepared, the company was to transmit to each overseer a copy of the account. But how should an overseer, when he had these detailed accounts put into his hands, decide the amount for which that railway company was to be assessed for the mile or two of line which passed through his parish? It was perfectly monstrous that the law should remain in this state, and that no attempt had as yet been made, so far as he could ascertain, to put this matter upon a better footing. The only reason he could discover was, that the railway companies, who, undoubtedly, had enormous influence, were perfectly satisfied with the confusion and difficulty which at present existed. Even that was not all. The 32nd section of the Act said that the word "company" should mean the company which was authorized to construct the railway. But the practice of all the great railway companies was to absorb and buy up all the smaller and subsidiary lines that they could. They were not, in consequence, the companies which constructed the line; and wherever a line had been bought or leased, the overseers did not even get the unsatisfactory statement of accounts provided by the Act, and all he got was the general report submitted to the shareholders by the directors at the annual meeting. This was a most unsatisfactory condition in which to leave matters, especially when they remembered that, in some counties, the assessment of the railways alone amounted to £250,000. The Committee would see what a material effect the unfair assessment of this property must have upon the other ratepayers. Of course, if they let off one class of property, the other classes must suffer unfairly. It was, as he contended, most unfair to leave a parish or a Union, desirous of fairly settling their assessment, to call in an expert, and to be forced to go to an enormous expense in order to find out at what amount a railway assessment should be settled. In Scotland a system was already in existence, which he proposed to introduce in a new clause later on in the Bill, and he was told the result of it was that it was as easy, if, indeed, it was not easier, to assess a railway for a whole county or Union as it was for a single parish, because the assessor or the valuer had to go into the whole accounts of all the railway, with all its branches, stations, and hotels, if he were valuing for a single parish, in just the same way, and just as precisely and accurately as if he were valuing the whole of the system. Surely it was far more in conformity with common sense that these valuations should be made by competent men for the whole county or Union, than that the assessment should be left to guess-work by the overseers as it was at present. He had new clauses to move at a later stage of the Bill, which would carry out the object he had in view; but he did hope that he should now receive some assurance from the Government that they would help him in getting what he was endeavouring to obtain. He was not wedded to the words he had proposed, and he merely wished to see the principle carried out, and the present very unfair and unsatisfactory system [got rid of.

Amendment proposed,

In page 3, line 12, after the word "duplicate" insert the words "and any special valuation made by the assessor of railways and canals."—(*Mr. Pell.*)

MR. HIBBERT wished to express his entire concurrence in what had been said as to the desirability of placing the assessment of railways in a better and a different position. They all knew how difficult it was for these country overseers to make anything like a proper assessment. The proposal of his hon. Friend the Member for South Leicestershire (Mr. Peel) was, as he understood it, that for the future both railways and canals should be valued by an assessor appointed by the county Justices; but that was a system which, in his opinion, could scarcely be adopted in every county. The plan would probably work well enough in the great majority of counties; but he was by no means sure that it would do so in counties such, for instance, as Lancashire and Yorkshire. The county Justices would, he thought, be scarcely competent to make an assessment of the vast extent of railway property in those two counties. It would, therefore, be necessary that they should be divided for the purpose of assessment; but there were certainly many counties in England in which railways and canals might be easily valued by the county authorities. What, in the circumstances, he would suggest to his hon. Friend was, if the Government could see their way to acceding to the proposal, that he should frame a clause which would make the county authority, with the sanction of the Assessment Committee for the county, the authority to value railway and canal property, and that in those cases in which no such authority existed the Committee itself should be the authority for the purpose of valuing railways and canals. That would, in his opinion, be a great improvement on the present system, which involved considerable expense, and frequently led to a great deal of confusion. His hon. Friend would give the power to the Justices of each county to appoint an assessor of railways and canals; but the county authority established under the Bill would, he thought, be the best to fix upon for the purpose. There was another point to which he wished also to call the attention of the Committee, and that was the mode in which the remuneration to be given to the assessor should be defrayed. It was proposed that it should be paid out of the county rates; but that would be scarcely right, because there were many parishes in which there were no railways, and it would manifestly be unfair that they should be asked to contribute to the salary of an officer from whose services they would derive no benefit. It would, however, be easy to meet that difficulty by means of a separate clause. In conclusion, he desired merely to observe that he entirely sympathized with his hon. Friend in the object which he had in view, and that he should be very glad to support his Amendment in the modified form which he had suggested.

Colonel MAKINS said, the capricious manner in which the rating of railways was conducted under the present system had been very accurately described by the hon. Member for South Leicestershire (Mr. Pell), and there could be no doubt that some improvement in that system was much needed. What the Government ought, in his opinion, to do, in the first instance, would be to lay down a principle on which railway property should be assessed. The railway companies were most anxious that this course should be taken, for they were anything but satisfied with the existing state of things. The fact was that they were called upon to pay in many parishes, especially in the rural districts, very much more than their fair proportion of the rates. They also objected very strongly to being rated by persons whose interest it was to transfer the burden of payment from their own shoulders to those of the companies—which they, whether rightly or wrongly, imagined were in many cases better able to bear it. There was one other suggestion which he wished to make before he sat down, and he made it entirely on his own responsibility. The country had, in the Railway Commission, a public body which, although very distinguished, was certainly not very hard-worked; and to that Commission he thought the question of the rating of railways might very advantageously be delegated, for its composition was such as to render it probable that its decisions would be perfectly satisfactory to all parties. It was a mistake, he might add, to suppose that railway companies benefited by the confusion which now existed with regard to the rating of their property, and he, therefore, hoped some principle would be adopted on which the rating would be invariably made.

Mr. WALTER said, he had no connection with railways; but it appeared to him that there was no problem which was obviously less susceptible of solution than the question, how much of the net property of a line of railway was derived from each particular mile of country through which the line passed? What then, under the circumstances, he would suggest was that the Board of Trade, or some other Department of the Government, should furnish the various Unions throughout the country, every year, with its accounts of the rateable value of every railway in the Kingdom, and that upon that rateable value being so furnished, the proportion due to each parish should be divided per mile, and the net profits of a railway in that way distributed between the different parishes. To determine exactly the profits due to five or six miles of railway, and then the amount due to the next five or six miles, seemed to him to be impossible; and the plan he had indicated was therefore, he thought, worthy the consideration of the Government.

Mr. STAVELEY HILL regretted to find himself opposed to any proposal which was made by the hon. Gentleman who had just sat down (Mr. Walter). He could not, however, help thinking that there could scarcely be a much less accurate way, or one which would operate more unfairly, of assessing railway property than that which the hon. Gentleman had suggested; for it was quite clear that a mile of railway in the parish of St. Pancras, for instance, was of far greater value than the same extent of the same railway in a parish in Bedfordshire. The problem with which the Committee had to deal was, he might add, far more complicated than the hon. Gentleman seemed to imagine, although it was not so extremely complicated as not to be tolerably satisfactorily solved at the present time. The real question for their consideration was how the assessment of railways and canals in a parish could be most easily arrived at. As matters now stood, the assessment rested with the overseer; but if he did not feel competent to the discharge of the duty, the Assessment Committee had the power—which was retained to them under the 47th clause of the Bill under discussion—to call in a scientific person to assist him in ascertaining the rateable value. It would, however, no doubt, be argued that that was a very expensive process; and, indeed, it was open to that objection, for the reason that when an expert was called in, the mode of paying him was by a percentage on the amount of rating which he established. That was an arrangement which was not only expensive, but which was bad in principle, and the point to be decided was in what way the services of a scientific person were most easily to be obtained to assist the overseer. All he could say was, that the railway companies would be delighted if his hon. Friend the Secretary to the Local Government Board could devise some satisfactory means by which such a person could be appointed, though whether it could be best done by the more limited appointments, by the Assessment Committees, or the more extended appointments by the Justices for the county, was not perfectly clear. What was really wanted was a person whose appointment would extend over a whole railway. The railway companies, at all events, would be very glad if some cheap and easy method of rating their property were established; for, under the present system, that property was, they believed, in many cases, very considerably over-assessed.

MR. PEASE said, that the Amendment of his hon. Friend the Member for South Leicestershire (Mr. Pell) opened up a very knotty and a very complicated question. The assessment of railways involved not only the question of the amount of traffic and receipts, but also the question of the deductions to be made, which constituted, perhaps, the most difficult and important part of the whole subject. Under the circumstances, the best course to adopt, he thought, would be to postpone the Amendment for the present, in the hope that before the Report some means might be devised in the direction indicated by his hon. Friend, by which the present system of assessing railways would be simplified.

MR. CLARE READ said, that every hon. Member who had taken part in the discussion had admitted that the present system of assessing railways was unsatisfactory. In his own opinion, no system could be much worse. The work of assessment was now done by the overseer, who was, generally speaking, the least intelligent parochial officer. ["No, no!"] Well, in the rural districts, at all events, he was invariably the least intelligent of parish officers, being simply a rate collector. That being so, he could not for the life of him see how the Bill, as it stood, would get over the difficulty. To show how unsatisfactory was the present system, he might state that in his own Union a railway which had been assessed at only £350 had the assessment afterwards raised by a valuer to £1,300, on which sum the company were very well contented to pay rates.

MR. SAMUDA said, that although great fault had been found with the suggestion which had been thrown out by the hon. Member for Berkshire (Mr. Walter), there seemed to him to be considerable weight in it. At all events, no other suggestion had been made which, so far as he could see, would meet the difficulty with which the Committee had to deal. The most simple way, in his opinion, of arriving at the rateable value of railway property would be to compel the railway companies to lodge with the Board of Trade, or some other Public Department, a statement of the cost incurred in the construction of each mile of railway. By that means, the actual sum of money would be ascertained on which, in some form or other, the assessment could be made. Then, if the dividends paid by the railways were taken into account, a fair arrangement as to the total revenue of railways which ought to be rated would be arrived at, and the proportion properly chargeable to each mile.

SIR BALDWYN LEIGHTON strongly supported the Amendment, expressing it to be his belief that a great saving to the various Unions throughout the country would be the result of its adoption by the Committee, and that it might also be found to be an advantage in the end to the railway companies to have one assessment and one appeal for a line of railway running through a county instead of half-a-dozen or more.

MR. SALT said, that the Amendment touched upon a very large and difficult question, in a clause which itself proposed to deal with only a very small corner of that question. As far as was able to gather from the tone of the discussion, the general feeling of the Committee appeared to be that the clause proposed by his hon. Friend

(Mr. Pell) did not at all adequately meet the case of the assessment of railways, and in that view he was disposed to concur. He would, however, point out that by Clause 47 an Assessment Committee might, with the consent of the Guardians, appoint some competent person to assist them in the valuation of the rateable hereditaments of a Union, and that he should be paid out of the common fund, but that the payment should not in any way depend upon the amount of the valuation which he might make. It was now proposed that the Justices of the Peace for a county should appoint an assessor; but he saw some difficulty in the way of the adoption of such a proposal. What, in the circumstances, he would suggest was that the Amendment should be withdrawn for the present; and his hon. Friend the Member for South Leicestershire (Mr. Pell) would probably be able, in concert with his right hon. Friend the President of the Local Government Board, to frame a clause which might be inserted in the Report, and which would, as far as might be, meet the difficulties of the case.

Mr. PELL preferred that the county authorities, rather than the Justices of the Peace, should discharge the duty of assessing the railway property. He would be quite willing to withdraw his Amendment on the distinct understanding that the Government were prepared to bring in a Bill to deal with that difficult subject.

Mr. FLOYER said, that the proposition to appoint an assessor of railways for whole counties was a large and serious one. Being rather jealous for the authority of the Assessment Committees, he was of opinion that if responsibility was imposed upon them, they should have the power of dealing with all questions that might come before them; and that they should not be overridden in the discharge of their duties. Was it to be understood that the Assessment Committee was to appoint an assessor of railways for the whole Union, or was he to be appointed at Quarter Sessions? Again, was it proposed that this county assessor or valuer was to go through the whole county, and revise the assessment of railways in all the principal Unions? He asked these questions with the hope that they might lead the Committee to arrive at a fair conclusion. The idea of taking power out of the hands of the Assessment Committee and placing it in the hands of the local board or magistrates was, to his mind, objectionable, inasmuch as it was an unfair interference with their proper right and province. Practically, until this question was settled, the Assessment Committee could not go into the valuation of railways or canals. These Committees were a competent class of men, having great experience in railways and their traffic; it was, therefore, for them to decide upon the adequacy or inadequacy of these valuations. He thought it a little hard, and a considerable innovation of principle, to say that those Unions, which had nothing on earth to do with railways, and had no benefits to get from the assessment of the railways, should have to pay the bill of the officer who was to assist in the valuation.

Mr. RYLANDS said, he could not help sympathizing with the hon. Member (Mr. Salt) in what appeared to be the indisposition of hon. Gentlemen on his own side of the House to facilitate the progress of the Bill. He (Mr. Rylands) considered it most objectionable to call into existence a number of officials through the country whose duties were likely to create considerable inconvenience. He wished to remind the Committee that the basis of the present Bill was the strengthening of the Assessment Committees; and that, in addition, it provided that there should be supervision by the county authority. He called the attention of the hon. Gentleman the Secretary to the Local Government Board to the fact that Assessment Committees were placed under great difficulty in consequence of the railway and canal companies refusing to give them the means of making a correct assessment of their property, and he had frequently known public companies to resist the Assessment Committee by keeping back information. In such cases, the Committee had been driven to assess the railway or the canal company in an amount which might have been considered unfair, in order to compel them to furnish a just valuation.

Mr. STAVELEY HILL pointed out that the provision of the Bill was not for the purpose of creating new officers, but for empowering the Assessment Committee to obtain all necessary information to enable them to put a proper rateable valuation upon railway property in parishes.

MR. GREGORY thought a satisfactory railway valuation would not be possible under the present system of dealing with those undertakings piecemeal; they must be dealt with in their entirety. He approved the suggestion of the hon. and gallant Member for South Essex (Colonel Makins)—namely, that the Railway Commissioners should undertake the duties of assessment. If the railways were valued in this way, there remained, of course, the question as to the division of the rates between the parishes through which they ran. Upon that point, he suggested that the basis of population would be preferable to one of mileage.

MR. PELL desired to correct a misunderstanding which appeared to prevail with regard to his new clause, which, when it was reached, would be found to contain nothing which gave any power whatever to the officer in question, beyond that of a simple adviser. All he proposed was that some proper officer should advise the overseer as to the proper amount for assessment, and then retire.

MR. STORER hoped the Government would not accept the Amendment of the hon. Member for South Leicestershire (Mr. Pell) in its exact terms, because it was clear to him that the officer in question, whoever he might be, would in the end be an expense to the ratepayers.

SIR HARCOURT JOHNSTONE believed that no one knew better than he how intricate and laborious a business was the assessment of railways; and he was quite certain that a proper solution of the question could be found, if it were clearly understood, that full justice would be done to both parties.

MR. PELL asked leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 9 (Notice to occupier where his liability is increased).

MR. GORDON moved, as an Amendment, in page 3, lines 22 and 23, to insert the words "within fifteen days" in place of the words "as soon as practicable."

MR. SALT said, the Amendment proposed was not open to any particular objection; but as the point was not of great importance he rather preferred the original words.

MR. CHAMBERLAIN asked the hon. Gentleman (Mr. Salt) whether the clause did not go a little further than the present practice? He was acquainted with an Assessment Committee, whose custom it was to send demand notes to the occupier, who had to find out for himself whether there had been any alteration in the increase of his liability, besides having to pay a fee. He thought the clause went a little further than was necessary.

MR. RYLANDS said, the hon. Member (Mr. Salt) would, in his opinion, do well to accept the Amendment of the hon. Member for Chelsea (Mr. Gordon). The words "as soon as practicable" certainly admitted of being very widely interpreted; still, as the parties whose assessment might be included in the new valuation list had a right to be informed thereof, he thought a period of 15 days was not too long.

SIR WALTER B. BARTTELOT thought 15 days was too long. The period ought to be seven days. If the notice was to be really of use, it ought to be given immediately. He would move to amend the Amendment, by substituting the word "seven" for "fifteen."

MR. PEASE thought that seven days was too short, and that 10 days was much better.

SIR BALDWYN LEIGHTON replied, that the notices could be written *pari passu* with the making out of the valuation list, and they might be sent out without any delay.

Amendment, as amended, *agreed to;* words *substituted* accordingly.

MR. CHAMBERLAIN objected to the words at the end of the clause, "and where the value is increased, the amount of the old and of the increased value." Would the Government object to leaving out those words?

THE CHAIRMAN asked the hon. Gentleman if he moved an Amendment?

MR. CHAMBERLAIN replied, that in order to raise the question he would move their omission.

SIR BALDWYN LEIGHTON thought a form, given at the end of the Bill, would meet the views of the hon. Gentleman.

Mr. SALT would prefer to keep the words in the clause, unless the Committee very much wished them to be omitted. It was desirable to give as much information as possible; and though, of course, the clause as it stood would give the Assessment Committee more trouble, yet the object of the Bill was to bring the whole arrangements and charges of the rates to the knowledge of those who were concerned.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 10 (Revision of valuation list by assessment committee).

Mr. PAGET moved, as an Amendment, in page 3, line 30, after the word "objections," to insert the words—

> "Such meeting shall be held in open Court, and the Assessment Committee shall have power to summon witnesses and to examine them on oath."

His Amendment embodied a principle of considerable importance. The clause dealt with objections to valuations, but these objections were virtually appeals; and although the question of appeals came on later, he was obliged to raise this question at the present moment, because of the peculiar construction of the measure. Hon. Members would remember that when the Bill was before the House last year, it contained a clause providing for an appeal to Petty Sessions. In the course of debate in Committee, very strong objection was taken to making the Petty Sessions a Court of Appeal, and after very considerable debate, that Appeal Court was struck out of the Bill, and nothing whatever replaced it. At that time, he ventured to suggest to the Committee that by eliminating the one appeal open to the poor man, and substituting nothing for it, they had practically rendered appeals impossible in many cases. Nothing was, in fact, left to the poor man but to take his appeal to the Quarter Sessions, where the expense was so considerable as practically to put him out of Court altogether. It was necessary in any Appeal Court that it should be speedy, that it should be inexpensive, and that it should be heard in open Court, where witnesses could be examined on oath, and the appellant might have an opportunity of appearing either in person or by his legal adviser. But what was the appeal now given by the Bill? There was none, until they got to the Court of Quarter Sessions, which was not inexpensive, but, on the contrary, was very expensive, and was not speedy, for appellants often had to wait two or three months before their case was heard. He maintained, on the other hand, that there was an absolute necessity of setting some Court of Appeal before they got to the Court of Quarter Sessions. It was asked why there should not continue to be an appeal to Petty Sessions against a valuation list? But the fact was that at present no such appeal existed. The only appeal was against a rate and not against a valuation list. Besides, the question of appealing to the Petty Sessions was brought up last year, and the Committee was then so entirely opposed to the institution of a Petty Sessional appeal, that he thought it a vain thing again to attempt to bring that proposal before the Committee. What he proposed, then, was to elevate the dignity of the Assessment Committee itself, so as to make it a sort of Court of Review of its own primary decision. He did not see why that Committee should not have power to summon witnesses, to examine them on oath, to review openly, in fact, the decisions which were often come to in what he might call a hasty and perfunctory way. He knew it would be said that this was an extraordinary power to give to a hybrid committee, composed partly of Justices and elected ratepayers, and that it was introducing a new mode of procedure. No doubt that was so. But the fact that the proposal was new was not in itself an objection; and, for his part, he could see no reason why a body of experts, specially chosen for this work, and with a special aptitude for this business, should not be intrusted with the power of summoning witnesses and taking evidence on oath. He ventured to think, if this were done, and each objection were heard openly, with the power to the appellants to have legal advice if they chose, a great majority of the appeals would be at once got rid of. They would provide, in fact, a cheap, inexpensive, and ready remedy, which the poor man certainly did not possess at present.

Mr. Serjeant SIMON had great pleasure in supporting the Amendment, It was not exactly in the terms which he would himself have chosen; but the principle on which it was based was so sound, and the alteration so necessary, that he felt bound in the interests of his constituents, who had communicated with him on the subject, to press its importance on the Committee. Nothing could be more absurd and unsatisfactory than the present mode of managing assessments. Assessments were made at the instance of a valuer or surveyor, and if a ratepayer objected, he was obliged to appeal, and in appealing to state the ground of his objection to the assessment. What, then, was the process? The Assessment Committee sat in a private room, closeted with their valuer. They heard in private all the valuer had to say in answer to the objection, the person objecting remaining outside and in ignorance of what was taking place within. He and the other appellants were then called in, one by one, and instead of being treated as persons who had a right to dispute their assessment, they were received and treated in the manner of culprits. They were cross-examined at the instance of the valuer, who, of course, wished to support his own assessment, and all the evidence that they had to give in support of their case was got out of them, in case they should decide to appeal to the Quarter Sessions. All this time the appellant knew nothing of the evidence of the valuer, because the sittings of the Committee were in secret. It really could not be called a fair hearing in which the appellant was treated as a hostile person, and cross-examined accordingly, with the Assessment Committee as judges and the valuer as prosecutor. Of course, it might be objected that the Assessment Committee was a mere administrative body, and ought not to be allowed to exercise judicial functions. But if that were so, why was a power of appeal to them given? The fact that they were called upon to sit and hear, and possibly to reverse, their own assessment, implied a power of judgment upon it. But even if they were at present merely an administrative body, why should they not be turned into a judicial body for the purposes of the Bill? The Assessment Committee already was a judicial body to all intents and purposes; why should not the proceedings before them be conducted in a judicial manner and openly, instead of by these secret meetings with the indignity inflicted on any person who objected to the valuation of his property? He might be told that there was an appeal to Quarter Sessions. But why was a man to suffer the hardship of being driven there at great expense and loss of time? Why should not the first appeal be made a reality at once? In many cases, this first appeal would be quite sufficient, if all the proceedings were open and above board. A man, too, could afford to go to this Assessment Committee, while he would shrink from appealing to Quarter Sessions, with all the consequent expense of instructing a solicitor, of employing counsel, and of summoning witnesses. All that expense was quite unnecessary, and would be prevented by the acceptance of the Amendment. He would not, of course, abolish the second appeal; but he would remove the necessity for it in a large number of cases by making the machinery of the first appeal efficient. Under the system proposed by the Amendment, a man of business could state his own case quite well and easily, and the remedy would be both speedy and cheap. At present the appeal was a sham and an absurdity, and it was merely used to get out of the appellant as much of his case as possible before sending him to the Quarter Sessions. If the hon. Gentleman the Secretary to the Local Government Board would accept the Amendment, he was sure he would receive very hearty and cordial support from both sides of the Committee.

Mr. STAVELEY HILL agreed completely with his hon. and learned Friend in the first part of his remarks, and only differed from him in his conclusions. He quite felt that this Court should be an open Court; for, in his opinion, nothing had so certainly led to many appeals as the fact that the proceedings were in secret. Of course, the valuer, not merely for the sake of his credit, but for the sake also of his percentage, would support the alterations he had made in the valuation. If, then, the appellant were out of the room, the valuer could easily earwig the Committee and put on one side all that had been urged on behalf of the appeal. But as to the formalities, he begged the Committee to remember that this second hearing was not an appeal, it was merely a revision of the valuation. If it were raised to an Appeal Court, it would certainly lead to the retaining of counsel, solicitors, and witnesses, and all the expenses of a regular Appeal Court. If it were, however, merely a revision the appellant could be heard in person, he would know everything that was said on the other side, and they would have a system which would be the very best for him.

Mr. ASSHETON said, his hon. and learned Friend (Mr. Staveley Hill), in insisting on the necessity of having counsel and solicitors, was naturally looking at the matter from his own legal point of view. From his (Mr. Assheton's) experience as Chairman of an Assessment Committee, and from a considerable general knowledge of the subject also, he could see no necessity for any such thing. He did not admit that appellants were always treated as culprits; but still, if he had anything to do with an Assessment Committee, he would infinitely rather that the appeals were heard in open Court. In common fairness, each side should be openly heard.

Mr. HIBBERT said he had moved, in the previous Session, an Amendment to the clause making the Petty Sessions the Court of Appeal; and he certainly should support this proposition, because he thought it very necessary to give the Assessment Committee a firmer foundation. It was most necessary that the appeals should be heard openly; for, under the present system, many of the appellants went away with a firm conviction that they had not been properly treated. If, therefore, they were going to set up the Assessment Committee as a Court of Appeal, it was very necessary that it should be done in a manner satisfactory to the parishioners.

Mr. Serjeant SIMON suggested the addition of two or three words to the Amendment, so as to give the Assessment Committee power to examine the valuer as well as the witnesses. He would, therefore, move the addition, after the word "oath," of the words "and the person making the valuation." The ratepayer, then, would be able to make the valuer state on oath the grounds of his valuation. The Committee would see at once that it would be very undesirable for the valuer to have power to make a statement not on oath.

Mr. PAGET asked whether the power given to the Committee to summon witnesses and to examine them on oath did not necessarily include power to call the valuer?

Mr. Serjeant SIMON replied, that it did not necessarily imply it.

Mr. SALT was quite prepared to admit that his hon. Friend had raised a point which ought to be met, if possible, in some way. The question in his mind simply was, whether they were not creating greater difficulties than those they sought to remove? At present the Committee did not at all act in a judicial manner, and it was only a rough and ready means of arriving at the best conclusion. There were extreme difficulties in the way of creating this Committee into a Judicial Court, and at that moment and in the form in which the Amendment stood, it was quite impossible to insert it in the Bill. It was very difficult, indeed, to say what would be the exact result of giving these judicial powers. He was, however, quite prepared to say that the meeting, at which objections to the valuation were heard, should be an open one. Further he could not go at present; and if any more was to done, it must be done by a new clause, dealing with the whole subject, and not by two or three words added in this way. If his hon. Friend (Mr. Paget) would accept that, of course it would be quite open to him to bring up a new clause dealing with the subject at some future stage of the Bill, and he would promise that it should have his very best consideration.

Mr. HIBBERT said, there was no doubt that the multiplication of appeals to Quarter Sessions was undesirable and expensive; and, besides that, such appeal was, so far as his experience went, very much like a sham. He thought that the mere fact of the appeals being considered openly would be beneficial to the interests of the ratepayers, inasmuch as at present the Assessment Committees were inclined to adhere too much to their own opinions, which left the appellant under the necessity of abiding by the disputed valuation. He believed the Amendment would accomplish the desired result.

Mr. PAGET pointed out that the clause of the Bill, not his Amendment, gave to the Assessment Committee the dignity of a Judicial Court. He wanted the Court to be an open Court, and he would have preferred that it should have been empowered to take evidence on oath. The matter, as he was aware, was one of considerable difficulty, and he was therefore unwilling to hinder the progress of the Bill in order to further his wish. For that reason, he was ready to amend his Amendment, by omitting all the words after Court, and letting it stand thus—"and such meetings shall be held in open Court." Of course, much more would be necessary, in order to constitute this Assessment Committee a Court of Appeal, than the insertion of the words which he proposed to introduce into the clause. But that was not his intention. He simply desired that the powers given to the Committee should be extended, and that it should be obligatory upon the Committee to determine, so far as it could determine, openly; and, if necessary, he would re-model his Amendment to effect this object. He begged leave to withdraw his Amendment, for the purpose of moving the insertion of the words "and such meetings shall be held openly."

Amendment, by leave, *withdrawn.*

MR. SERJEANT SIMON thought the Committee should agree to the insertion of the words "that the person appealing shall have the right to examine the valuer." It appeared to him perfectly idle to have any alteration of the kind proposed unless it was made complete. Why bring a person forward as appellant, without giving him the means of contesting the assessment? The appellant was to be told that he must submit to cross-examination at the instance of the valuer, who was to be present, and yet he was told that he had no right to question this person. He (Mr. Serjeant Simon) would move to add to the proposed Amendment the words "and that the person assessed shall have the right to examine the valuer."

THE CHAIRMAN pointed out that the hon. and learned Member was not in Order in making a Motion before the Amendment of the hon. Member for Mid-Somerset (Mr. Paget) was disposed of.

LORD EDMOND FITZMAURICE ventured to doubt whether the word "openly" would accomplish the object of the hon. Member for Mid-Somerset (Mr. Paget).

SIR ANDREW LUSK objected to the Amendment. He believed that there was a general feeling against the private affairs of individuals being discussed in open Court, and was, therefore, of opinion that the clause should remain unaltered.

MR. RYLANDS thought the hon. Member for Mid-Somerset (Mr. Paget), by his later Amendment, had proposed to add to the clause words which would produce mischief, and that by sacrificing the Amendment in its entirety he sacrificed, also, the object with which the original Amendment was introduced. If the Assessment Committee could be constituted a Court, with power to summon witnesses, examine them on oath, and determine upon the evidence given, no doubt, in many cases, decisions would be obtained against which no appeal would be made at Quarter Sessions.

MR. PAGET said, he had consented to alter the original Amendment with the view of bringing it up again at a later stage of the Bill, and for the purpose of facilitating the progress of the measure. At the present stage, he was content with the words of the last Amendment.

MR. RYLANDS said, he was glad to hear that the hon. Member had not given up the principle of his first Amendment; but he (Mr. Rylands) would remind him that by the course he was now taking he might carry an Amendment to the effect that the Assessment Committee should hear and decide the appeals in a Court open to the public, but that, when the subsequent stage of the Bill to which he had referred was reached, the proposal to give them power to summon witnesses and to examine them upon oath would be objected to by Government, and fall through. His view was that the questions between the parties whose property was assessed and the valuer—in fact, between the parties generally interested in the matter—should be, whenever practicable, arranged previously by mutual consent. This was done continually, and appeals were thereby avoided, because Assessment Committees had a certain amount of elasticity of action. He was ready to sacrifice that principle, if something equivalent were given to him in return; but he refused to accept the mutilated Amendment of the hon. Member which, in its present form, would do no good whatever. His advice was that the Amendment should be entirely withdrawn, and left for future consideration, and that a clause should be proposed for dealing with the question as a whole.

Amendment *agreed to*; words *inserted* accordingly.

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

It being now Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

BREACH OF PROMISE.

RESOLUTION.

MR. HERSCHELL, in rising to move—

> "That, in the opinion of this House, the action of Breach of Promise of Marriage ought to be abolished except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss,"

said, he could assure the House that it was in no spirit of levity that he introduced the Motion to their notice, and he feared that any who had come expecting amusement would go empty away. During some years the conviction had been forced upon him that the action for breach of promise was evil in its tendency, mischievous in its result, and the time had come when it might be advantageously considered by the House. The question to some might seem of trivial import, and hardly worthy of the dignity of discussion in the House of Commons; but he believed that it really struck its roots deeper into the social system, and touched the life of society at more points, than might at first sight appear. Whatever difference of opinion there might be with regard to the Motion, there could be but one opinion on this point—that the action was every day scandalously abused. Hon. Members who did not confine their attention exclusively to politics could scarcely read their newspapers without seeing abundant proof of what he had stated. Many of these actions were brought merely for the purpose of extortion, and the levying of black mail; and his professional experience had led him to the conclusion that it was time they were abolished. Instances of the kind had happened within a year or two which might be mentioned; but he would not detain the House longer than to give two instances by way of illustration. A case occurred, a year or two ago, of an action brought against a clergyman of the age of 65 by a young woman of 35. She alleged that they had been engaged to be married since 1864; but the marriage had been postponed on account of the objection of some relatives in whose house he lived. She produced a witness who gave some kind of corroboration to her story. On the part of the defendant the engagement was utterly denied; but according to the account which he (Mr. Herschell) had received from one of the counsel engaged, the defendant was afflicted with an impediment in his speech and an irrepressible habit of yawning, and he had this further peculiarity, that he had a great love for medicine. According to a curious calculation that was made, he had taken 67,000 pills in a few previous years. The result was that these things unfavourably impressed the jury, and they gave a verdict for the plaintiff, with £150 damages. At the next sitting of the Court, when a new trial was applied for, affidavits were made as to the plaintiff's antecedents, and satisfactory evidence was given that she was an abandoned woman who had been convicted of theft, and that during the time of her alleged engagement to the clergyman she had threatened two other persons with actions, and had succeeded in getting from one £80 in order to settle the matter and keep it out of Court. No sort of answer was ever given to either of the charges exhibited in the affidavits. The case had never again been heard of, and it was a clear instance of extortion. The second case to which he would refer was an action brought against one of the other sex, and it was well he should give it, because it might be said by some that the Motion he had submitted was entirely in the interests of men. In this case, the man proceeded against the woman. He had behaved scandalously towards her, and shown clearly that he cared nothing whatever for her, his motive being sheer avarice, and if the whole circumstances had been laid before a jury, they would have given him a farthing damages. But the lady had the greatest possible aversion to having her letters published in the newspapers, and the consequence was that she paid the scoundrel £1,000 and his costs rather than submit to having the correspondence laid before the Court. That was a case in which the action was brought simply for the purpose of extortion, and it was undoubtedly a gross abuse of the law. Every day actions were brought where no promise had been made, and every day actions were brought to redress no real wrong or injury. But even in cases where some sort of promise had been given, it was impossible for a man to obtain justice, for it was always difficult to get the facts fairly weighed by a jury. If he attempted, in the course of the case, to suggest that the woman was anything but an angel in temper—a very embodiment of all the female virtues—so that there would be some reason to justify a man in not marrying her, the mere suggestion was enough to bring down upon him a whole torrent of invective from Judge, counsel, and jury, and comments of such a nature were made that the unfortunate man came out of Court in the most uncomfortable position, although, if the merits of the case had been fairly investigated, it would have been seen in many cases that the man had not been one whit to blame. That being the case, when they found that actions of that kind were scandalously abused, it was time that the action should justify itself, that they might see on what foundation it rested—whether there was any sound basis on which it could be supported. The action for breach of promise of marriage was not so ancient as some persons might be disposed to imagine. This country flourished for many centuries in a perfectly satisfactory condition without any person thinking of bringing an action of this description. About two centuries ago it was established that such an action lay, so that there was no flavour of venerable antiquity surrounding it. It was true, however, that as far back as the reign of Queen Elizabeth an action somewhat of this description was brought by a man, who alleged that the woman had given him flattering words equal to a promise of marriage; that, therefore, he delivered to her money and other things; and that afterwards the woman married another man in deceit and fraud of the plaintiff. But the first action founded on the allegation of a promise of marriage was brought in the reign of Charles I.; and from the time of Charles I. it was established that for breach of this contract an action lay. For a considerable time it was thought that the promise must be in writing; but subsequently a different view prevailed on this point. In cases of this kind the law departed altogether from the ordinary rules in assessing damages for breach of contract. Wounded feelings were taken into account, while no regard was paid to other circumstances of the case. Could it be maintained for a moment that a union without affection was a desirable thing? A promise of marriage was held to be a contract, and could only be avoided like any other contract—like one to buy a bale of wool, for instance. It was alleged on the part of the woman who brought the action that had the promise not been broken the woman would have had a home, a husband, and a maintenance, though the question of what sort of home and husband she would have had was never considered. They regarded the woman as having suffered as great a loss as if she had lost the most affectionate and desirable of husbands; and it was no answer to an action of this kind that the person had just come from a lunatic asylum, where he or she had passed the best part of a life-time. When the question of damages, however, was approached, then, as a rule, the way of dealing with ordinary contracts was departed from, the damages generally given being in inverse ratio to the merits of the case. For instance, a pretty and engaging woman, who, there was little doubt, would soon get another engagement, and whose loss, consequently, would comparatively be very little, would get heavy damages, especially if the defendant was a greedy, avaricious, mean-spirited fellow, who would have made her a very bad husband. On the other hand, in the case of a plain, unattractive woman, not likely to obtain another engagement, whom the man had treated with consideration and honour, and who would have made her a very good husband, her damages would be but small, although her loss was far greater than in the other case. It was said that this was a contract, and must be enforced by law; but with such a contract, and one party hostile to carrying it out, he contended that if before the bond became indissoluble either of the parties desired to be free, it was better for both of them, and better for society, that they should be free, not only for their own sakes, but also for the sakes of the children who would possibly follow from it. How could they be properly brought up if there were not only a want of harmony, but actual hostility between the parents? He denied that there was any real similarity between the contract between persons who engaged to marry and any other kind of contract, inasmuch as the former alone bound the parties to an indissoluble union; and would point out, as an anomaly, that a contract by which a man undertook to pay £5 in consideration of marriage could only be sustained if in writing, while a contract by which he engaged to pay not money, but himself, could be sustained by mere verbal declarations, often of the very slightest character. Though he had brought this subject before the House in two Sessions, only one Petition had been presented against the proposal, and that Petition only obtained nine signatures. The petitioners declared that marriage was a profession in which women earned their livelihood by the discharge of the social, conjugal, and domestic duties which appertained to matrimony; that the entrance into that profession came through an offer of marriage; and that the breach of such a promise hindered a woman from obtaining her proper station in life, inasmuch as a woman who gave her affections to one man could not transfer them to another without grievous loss. The view of the petitioners seemed to be that marriage was the result of a kind of competitive examination for the appointment of wife; that the obtaining of a promise was to be regarded as passing the examination; and that it was a great shame if a woman, after passing the examination, failed to get the appointment. He maintained that such a suggestion was an insult to women, for it was not true that a woman earned her livelihood by performing her conjugal, social, and domestic duties. Earned her livelihood! He did not like the phrase, as it was impossible to admire too much the devotion, the zeal, and the unselfishness with which women performed their social and domestic duties, and endeavoured to promote the happiness of the men to whom they were united. They performed them with a zeal and an unselfishness which indifference was scarcely able to chill, and which brutality could not always extinguish. Therefore, he protested against the view that women performed those duties by way of return for board and maintenance as being as degrading as it was untrue. The alteration of the law which he proposed was not to abolish the action in every case. If, on the faith of the promise that had been made, a woman had incurred expense or loss, it was right that it should be recouped. There were cases in which a servant or a governess might have given up a situation, or a person a shop, at the request of the man to whom she was engaged, thus incurring undoubted pecuniary loss in consequence of the promise, and it would be unjust that she should not be indemnified. An action on that account was not open to the objections which applied to the law as it stood. Therefore, while abolishing the ordinary action for breach of promise, he would reserve the right to claim compensation for money loss incurred in consequence of the contract. He was glad that the proposal he was about to make would bring the law of England into harmony with the law of other European States. The French law was, with one exception—that of seduction in consequence of a promise of marriage—substantially what he proposed. Damages could only be recovered on account of what was called a *préjudice réel.* In the Italian Code, it was expressly laid down that the mutual promise involved no obligation to contract the marriage; and that, when the promise was in writing, the party who refused to carry out the promise was bound only to re-imburse the expenses of the other. According to the Austrian law, the party breaking the promise was not liable to the other for anything beyond the actual damage sustained. The Dutch law was substantially the same. The American law was the same as our own, and was borrowed from ours; but if the House agreed to this Motion, it would give a stimulus to the reform of the law in the United States. In Germany, where the engagement was of a more formal nature than in this country, being an official act before public authorities, one-fifth of the dower might be claimed, if one of the parties refused without just cause. Possibly there were some few cases of breach of promise which were cases of hardship, in which it was most desirable that an action should lie. He believed, however, that such cases were very few, and that it was impossible to legislate for them. Therefore, the question must be dealt with as a whole. On the other hand, the law was abused in very many cases; and in so many that, in his opinion, it was better that the action should be abolished. If the law, as a whole, was put on a satisfactory basis, they must submit to individual cases of hardship. It was said that it would be very hard, after an engagement extending over several years, that a man should break it off and leave the woman with less chance of obtaining a partner in life. It was said, therefore, that there should be compensation in such cases. But he could not help thinking that a great many of those lingering engagements were the result of the present state of the law, of the moral cowardice on the part of the man, who felt that his affection had grown cool, and who, rather than break off and risk an action, went on year after year continuing an engagement with a woman whom he knew he never could marry. But was it desirable by force of law to drive people into a union when one was unwilling? What would be thought of the woman who would insist upon the performance of the engagement when she knew that the man would do anything in the world rather than marry her? To make a man continue to love a woman the law was powerless. With regard to another class of cases. In the law of France, as he had said, an exception was made where seduction was the immediate consequence of the promise of marriage. It seemed to him that it would be impossible to make such an exception. It would be impossible to afford relief of that kind to a woman whose virtue had failed, when it was denied to a woman whose virtue had been more robust and unshaken. He admitted, however, that the present law of seduction was highly unsatisfactory: it was barbarous and ridiculous, and urgently required alteration. It might be said that if that change were made, they would have many more instances of seduction under promise of marriage. He ventured to doubt that very much. He believed that, in the main, when men made promises of marriage they intended to keep them; but if any man were wicked enough purposely to make a promise of marriage, intending never to keep it, but to effect the ruin of a girl, he could easily enough now so manage his conduct as not to render himself liable to any action at all. And it was worthy of consideration whether the change might not operate in the opposite direction; and whether, if women knew that man's promises were not certain of fulfilment, they might not be more careful and more robust in regard to their virtue. About a century ago, one of the greatest Judges who ever graced the English Bench, Lord Mansfield, expressed strong objections to that kind of action, and characterized it as one which, on account of its consequences, ought to be viewed with the greatest jealousy. Lord Mansfield further said that both sides ought to continue free, otherwise such contracts might be greatly abused by putting woman's virtue in danger by too much confidence in men. That remark was equally applicable at the present day. Again, he might be met by what he would call the "big-brother argument." He might be told that if the change suggested were made in the law, the indignant brothers of fair ladies would take the cause of their injured sisters into their own hands, and chastise the men who had broken their promises of marriage. Now, he did not believe in these valiant brothers; and it was simply ridiculous to suppose brothers burning to avenge their sisters' wrongs, and yet keeping back their indignant arm in the consciousness that an action would lie for breach of promise of marriage. Did the lady's brother really say—"Be still, indignant heart! Restrain your violent arm. Are there not the Law Courts to appeal to?" Again, it was often forgotten that that was after all a class action, and that amongst what were called the upper classes and amongst the artizan class it was alike unknown, and the evils which it was predicted would arise from its removal were not found to exist in those classes. It was also objected that the change he suggested would tend to diminish the sense of the binding nature of the promise of marriage; but if they passed that law to-morrow, he believed it would still be thought discreditable to engage a woman's affections lightly and to cast them off lightly, although the idea might be disposed of that wounded feelings could be assuaged with money bags and broken hearts mended with gold and silver. With regard to the Amendment by which his Motion was about to be met, he quite agreed with the allegation it contained, that the injury sustained by a breach of promise of marriage could not be weighed by the standard of pecuniary loss alone. He went further, and contended that it could not be measured by a pecuniary standard at all, and that was why he proposed his Motion. He had been met by professional men—to whom he ought, perhaps, to apologize for taking the step he had, seeing that whoever else might be gainers from the abolition of the action, they certainly would not—with the remark that it was too bad to take away that class of cases from them, especially at a time of so much depression of trade; but he was sure they would feel that the interests of the Profession must give way to the interests of the public. The more the reform was considered, the more he believed would it commend itself to the calm sense and judgment of the people. If passed, it would elevate men's views about the marriage bond; it would check much that was evil; and his firm conviction was that it would add to the well-being and happiness of the community. The hon. and learned Member concluded by moving the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That, in the opinion of this House, the action of Breach of Promise of Marriage ought to be abolished except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss."—(*Mr. Herschell.*)

SIR EARDLEY WILMOT, in rising to move the following Amendment:—

"That the injury sustained by Breach of Promise of Marriage cannot be weighed by the standard of pecuniary loss alone, and that the limitation of the action in the manner proposed by the Resolution would be very undesirable."

said, the hon. and learned Gentleman opposite (Mr. Herschell) had devoted his argument entirely to advocating the complete abolition of action for breach of promise; but his Motion was expressly in favour of limiting it to cases where actual pecuniary loss had been incurred. As a matter of fact, however, it was impossible for any jury to assess in a satisfactory way what actual pecuniary loss had been incurred by a lady. There were many cases in which women suffered serious injury, in which it could not be shown that they had sustained any pecuniary loss. Young ladies in the higher class of life, who had no independent fortunes of their own, lived with their parents; but they were liable to great disadvantages during the period of their engagement. A young lady under those circumstances was a wallflower — she could not waltz, she was kept very much to herself, and if the engagement was broken off without her assent, her only loss, putting aside her wounded feelings and slighted affections, was the chances she might have missed owing to the fact that her engagement was known in the society in which she moved. In the middle and lower ranks of society, also, he failed to see how young women sustained pecuniary loss by the breaking of engagements to marry, because, as a rule, they either continued to live with their parents, who maintained them, or did not cease from following employments in which, up to the time of their engagements to marry, they had been engaged. Looking at the question broadly, he would ask whether the action of breach of promise of marriage, which had lasted for 200 years, had proved mischievous or beneficial? On the whole, he thought that experience proved it to have been beneficial, although, like all other processes known to the law, it was capable of abuse; and it was beneficial mainly because it acted as a deterrent upon the minds of many men, for such were frequently to be found, who would otherwise, from mere wantonness, trifle with the affections of women. Women were much weaker than men, and, in nearly all these cases, the man was the injuring party. His hon. and learned Friend ridiculed the idea of women being pecuniarily injured by a breach of promise; but he (Sir Eardley Wilmot) maintained that marriage and a settlement in life were the one object of a woman's life, whereas men had numerous engagements to occupy their time and attention, and to divert chagrin and disappointment. Lord Byron, whose knowledge of women could not be gainsaid, told them in that memorable stanza, the whole of which he cited—

> "Man's love is of man's life a thing apart,
> 'Tis woman's sole existence."

His hon. and learned Friend, however, would simply tell them to take care of themselves, and, like Balthazar, in *Much Ado About Nothing*, said to them—

> "Sigh no more, ladies, sigh no more,
> Men were deceivers ever,
> One foot in sea and one on shore,
> To one thing constant never."

This was very much more of a woman's than a man's question; and he could not help, in passing, alluding to the loss they had sustained in the death of the hon. and learned Member for Limerick (Mr. Butt), whose presence would have shed lustre on the present dabate, while his powerful and eloquent reasoning would have greatly aided them in coming to a correct and just conclusion. He had had the honour of an acquaintance with that Gentleman for more than 20 years, and he hoped he would have been spared to assist, not only that night, but in the debate on the Criminal Code Bill on the previous evening. Having known him for many years, he believed that, as a lawyer, he was second to no man in that House. He could unravel an intricate legal argument referring to numberless cases without the employment of a single note. He (Sir Eardley Wilmot) well remembered the masterly speech he made, two years ago, in the debate on women's disabilities. He never heard a more eloquent or more logical speech; and in that speech occurred the words—

> "By the arrangements of God, man was intended for the busy walks of life, woman for the sanctuary of home and for those offices far higher than man could perform in the busy scenes of life, and which make home and life holy. That is her place."—[3 *Hansard*, ccxxxiv. 1413.]

Those words, he thought, were very *apropos* to the present debate, for it was marriage which gave to woman that sanctuary and holiness of home so truthfully described by the late Member for Limerick. He was sure that the House would join with him in expressing sorrow for the loss which Parliament had sustained by the death of the hon. and learned Member. He hoped the House would not adopt the Resolution of his hon. and learned Friend opposite, which, practically, would abolish actions for breach of promise altogether; but that the fair sex, who were not there to advocate their own rights and speak in behalf of themselves, would find many hon. Members to fight their battle and retain an action which was valuable, chiefly as a safeguard for women, even if it were not resorted to in a Court of Law. In conclusion, he would move the Amendment of which he had given Notice.

MR. MORGAN LLOYD, in seconding the Amendment, said, it was worthy of observation that the hon. and learned Gentleman (Mr. Herschell) had abandoned his original proposal, which was that no action for a breach of promise should be brought at all. That was the scheme last year; but now it was proposed to place that action on the same footing with actions for breaches of mercantile contracts generally. If the original proposal had been carried out, breaches of promise of marriage would have formed the only exception to the general rule that whenever a contract was broken the party aggrieved had a right of action. It was the law of the land that in cases where contracts were broken the aggrieved party had a right of action at law for damages; and he did not see why that rule should be departed from when the contract broken was a contract to marry. The proposal now was not to abolish the action, but to limit the right to recover damages to the pecuniary loss. He (Mr. Morgan Lloyd) should like to know why that should be? No reasons had been adduced in favour of such a proposition. The direct pecuniary loss was generally trifling as compared with the direct damage. A long engagement with one man might deprive a woman of other eligible offers, and affect her whole life. It sometimes happened, no doubt, that one party refused to release the other from his engagement even after it had become evident that a marriage would only lead to unhappiness; but there were also many cases in which a man wished to sacrifice the feelings not only of the lady to whom he was engaged, but his own affection for her, so as to marry another woman for money. In such instances, it would not be just to allow the man to throw off the woman, after spoiling her chance of marriage, without compensation. Then, the argument that high-minded women would not resort to the law in cases of breach of promise had no value whatever, as the same might be said of all rights of action. The Courts were open to all, and it was at the option of parties to have recourse to them. Besides, Parliament did not legislate for high-minded or low-minded people. It legislated on the justice of the case. The question was not, what would be the result of the passing of a Bill founded on the Resolution upon individuals, so much as what it would be upon the public generally. The present law, though it allowed, also had the effect of preventing, actions for breach of promise of marriage being brought, by preventing breaches of the contract. No one who broke such a promise could say now he was free from the expenses and exposure of an action, and breaches of promise were thereby prevented. It was said that it was impolitic to force men to marry against their will, but nobody was bound to marry unless he liked. If he had promised, and did not perform his promise, he was bound to make compensation for his breach of contract.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the injury sustained by Breach of Promise of Marriage cannot be weighed by the standard of pecuniary loss alone, and that the limitation of the action in the manner proposed by the Resolution would be very undesirable,"—(*Sir Eardley Wilmot,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. FORSYTH said, that although he was opposed to the Motion of his hon. and learned Friend the Member for Durham (Mr. Herschell), he was ready to support him in any attempt he might make to amend the existing law by making proof of the promise to marry more stringent than it was at present. He was ready to admit that juries were sometimes called upon to infer a promise from circumstances which did not warrant it—as in the famous case of "Bardell *v.* Pickwick," so satirically described by our great novelist Dickens. But he (Mr. Forsyth) did not see why wounded feelings, as well as pecuniary damage, should not be taken into account. This was so in the case of actions for seduction, where the smallest loss of service to the plaintiff gave a right of action; and the jury, being over-seized with the case, might award such damages as they thought fit. Very often an action for breach of promise of marriage might be necessary to vindicate a woman's character, which might be whispered away in the cruel gossip of society after an engagement had been broken off. This was peculiarly a woman's action, and there could be no doubt that, in many cases, much injury was inflicted upon the woman by a breach of promise to marry, which it was impossible to compensate by money. Some persons, and amongst them a learned Judge now on the Bench, held, indeed, the opinion that the greater the scoundrel the defendant was, the less the woman who brought the action ought to recover damages, because she was fortunate in having escaped the marriage. In other actions, such as those for libel and slander, compensation was given for wounded feelings and loss of position in society; and he did not see why, in the case of actions for breach of promise, a scoundrel should not, after paying his addresses to a woman, and deserting her to marry a richer woman, be made to pay damages, as compensation for a bruised or broken heart, as well as any actual pecuniary loss she might have sustained.

Mr. RODWELL thought that the hon. and learned Member for Durham (Mr. Herschell) was to be thanked for having brought his Resolution before the House. The question must be determined on social, rather than on legal grounds. While supporting the Resolution, he regretted that his hon. and learned Friend had not concurred with him in bringing in a Bill upon the subject, instead of a mere abstract Resolution. The contract with which the Resolution dealt was not analogous to other contracts. The first foundation of an engagement of this kind was in "reciprocity." There should be a mutual return of affection; and his argument was that the moment that affection ceased on one side or on the other, it was for the good of both parties that the engagement should cease, and that there should be an end to a state of things which, instead of leading to comfort, would lead to discomfort, and to misery instead of happiness. These actions were sometimes brought for extortion, and sometimes to satisfy feelings of revenge; and he would like to know what sort of a wife the woman would make who would drag a man to the altar, with a suit for breach of promise in her hand, knowing that his affections were estranged? He had no sympathy with such a woman. Actions for breach of promise were not, in his opinion, productive of very much good; and the hon. and learned Member for Marylebone (Mr. Forsyth), in referring to the case of "Bardell *v.* Pickwick," seemed to forget the class of lawyer in whose hands Mrs. Bardell's case was placed. Half these actions were brought for reasons of extortion, and he (Mr. Rodwell) thought they ought not to be encouraged. He concurred in every syllable that had been uttered by the hon. and learned Member for Durham; and although Byron and Dickens, and some of the minor poets, had been quoted, he had not heard one argument to satisfy him that these actions should be maintained.

MR. COLE said, he could not agree with the opinion expressed by his hon. and learned Friend the Member for Durham (Mr. Herschell) that these actions were, as a rule, brought solely for the purpose of extortion, or from improper motives. In discussing the question in that House, they must bear in mind that they were addressing a tribunal exclusively composed of men, who were all more or less interested in abolishing these actions. If his hon. and learned Friend had remained a bachelor, he believed he would never have dared to bring forward the Motion. It was said that only one Petition had been presented against the Motion; but the more important question was, how many were there in its favour?—and he should be surprised to hear of many. Only two cases of an exceptional character had been mentioned in support of the Motion. His hon. and learned Friend shrank from abolishing the action altogether; but said that it might be brought, if pecuniary damage had been sustained. What a mean proposition! No matter how much the girl's feelings had been wounded and trifled with, no matter how much her parents and friends had been annoyed—all was to go for nothing, unless she had lost a £5 note or a situation. It was surprising that such a proposition should be made in a House of Gentlemen. The dreadful case was put of a man who had been courting a girl for a long time, and then said he had lost all affection for her; and it was argued that no woman ought to seek to marry such a man. Of course, a girl of proper feeling would say she would have nothing to do with such a man; but still her parents, in certain cases, would not allow her feelings to be outraged in that way. The "big brother" had been alluded to—pity there was not more wholesome dread of the "big brother," who was restrained by law from inflicting chastisement, and duels were practically abolished. The only remedy left was to bring an action, in order to expose the conduct of the man, and vindicate the character of the woman. How often were counsel ashamed to say they did not care for damages, and that the main object of the action was to vindicate the character of the lady? In such cases, the action was very properly brought. Again, the deterrent effect of these actions had been lost sight of. But for the fear of them, how many promises would be rashly and inconsiderately given with the knowledge that they could not be enforced? how many times would they be given with a most improper design? It was known to many hon. and learned Members that in most of the cases of seduction that came before the Courts the injury had been done under a promise of marriage. Make such a promise of no value, and men would not hesitate to give it. No jury would ever find that a promise had been given, unless there were ample proof of such promise; the woman must be confirmed by independent testimony. The House ought to pause long before it abolished the action, which his own experience did not lead him to view with disfavour. It was an action little used amongst the upper classes, but in the middle and lower middle class it was most valuable. As regarded his own sex, he had known cases in which actions had been very properly brought by men. He was, some years ago, engaged with Sir Montague Smith in a case tried at Bristol, in which a man obtained £300 damages. The action was brought to clear a gentleman's character from a shameful charge that had been brought against him by the lady. He saw no reason why a man's character as well as a woman's should not be cleared in that way. For these reasons, and on the ground that no sufficient reasons had been given for abolishing the action, which, it was admitted, had existed for more than 200 years, he should oppose the Motion of his hon. and learned Friend the Member for Durham.

Mr. STAVELEY HILL said, he would say a few words upon this simply as a legal question. A contract was entered into between two parties, and the breach of that contract was fraught with serious injury to one party, if the other broke it heartlessly. He would give the most recent among many instances in his own professional experience. A father came to him and told him that a young man who was engaged to his daughter wrote coolly to her one day, and without any other reason, told her that he was going to marry another girl, because she was richer. He asked what he should do, and when he was advised not to enter an action, he said—"I must either punish the scoundrel by bringing an action against him, or I must break his neck." Well, the action was commenced, a sum of money was paid and an apology made by the man who had acted in such a heartless manner. He would say no more beyond giving that case, except to affirm that if the present action was taken away, some other remedy must be found—some means of punishing the scoundrel who had broken his promise in a heartless way, and of compensating the female who had been injured in her feelings and prospects in life.

Mr. GRANTHAM did not think that the arguments advanced justified any alteration in the law. He looked upon it as almost entirely a pecuniary question, because the girl often sustained a pecuniary injury, when no money had been actually expended by her. There were, no doubt, hard cases to be found, and cases where great imposition had been practised, as against the man; but hard cases made bad law, and, looking at the law as a whole, he thought it had worked well for the public. If a girl was engaged for five or six years, and then thrown over, she had lost almost three chances out of four of marrying, and that, probably, would be a great pecuniary loss to her, and if pecuniary damage was sustained the party was entitled to be compensated. It was chiefly because of the pecuniary injury that this law should remain, as it was for the public good, even although it might occasionally be used for purposes of extortion.

The SOLICITOR GENERAL (Sir Hardinge Giffard) contended that the proposition of the hon. and learned Member for Durham (Mr. Herschell) was a complete inversion of our jurisprudence; a breach of any contract, according to our ordinary rules of law, gave a right of action. He (the Solicitor General) denied that the action for breach of promise was the peculiarity it was alleged to be; the peculiarity lay in what his hon. and learned Friend proposed. He would like to know why such an inversion of the ordinary principles of jurisprudence was to be proposed, simply because the parties were man and woman? Suppose he combined to enter into partnership, the defaulting party would have to pay damages to the other adequate to the loss of partnership; and, besides the actual loss sustained, there might be a hurt to the feelings which could not be atoned for by any pecuniary compensation. Was right to be denied for a real and actual injury, because there was also another injury for which no compensation could be given? Pre-contract of marriage down to 1752 enabled the woman to go into Court and compel the man to marry her. But upon the abolition of that system by Lord Hardwicke's Act in 1753, one of the arguments used was that the injured party might still leave the damages to be assessed by a jury, if the contract was not kept. Another part of the question was the magnitude of the proposed change. There was hardly an Assizes at which an action of this sort was not tried; and his hon. and learned Friend seemed to assume that in every case the damages were improper. What did that involve? Was it to be assumed that Judges and juries were unfit to administer the law? It was said that this was an action generally brought for purposes of extortion. But the Judges and juries had the matter entirely in their own hands;

and a Judge was able to set a jury right, if they were inclined to go wrong. His hon. and learned Friend said that this action was novel and indefensible. For his part, he (the Solicitor General) believed it was as old as, indeed, older, than what they knew as the Roman law, and that it was defensible on its merits. Where, as in this case, they had in various times and countries the same substantive legislation, it indicated that there was in it something answering to the sense of justice in all mankind. The ancient custom of Latium provided that if the agreement was broken for no just cause, the person in fault should be condemned to such damages as should represent the loss of marriage. That, though many centuries old, was an exact exposition of the English law at this moment. It was well worthy of consideration by an Assembly such as he was now addressing, whether a principle so ancient should be lightly got rid of. His hon. and learned Friend said that the French law took no notice of such actions. He thought his hon. and learned Friend was in error. It was said it had been decided that the non-performance of a contract gave the right to damages when it resulted in real prejudice to the other party. But what was the exposition of "real prejudice?" It included the right to damages on account of the wrong the other party suffered in public estimation. The real injury in cases of breach of promise was inflicted upon one sex only; and he, therefore, must confess he regarded with some apprehension the suggestion his hon. and learned Friend had made as to altering the law in a most serious respect. His hon. and learned Friend would leave a real injury practically without remedy at all. The proposal to limit the action was something like an insult, for it meant that if a woman had bought her wedding dress, or the bridal cake, she should receive compensation; but for that which was the greatest loss which could be inflicted upon her she was to have no redress. ["Divide!"] He had no desire to detain the House; but when a most serious innovation in our jurisprudence was proposed, he thought it his duty to express his opinions. As some hon. Gentlemen, who were noted for the extreme moderation of their own talk, on various occasions, were disposed to interfere with what he wished to say upon the subject, he should content himself with saying that he entirely disagreed with the proposition made by his hon. and learned Friend. He believed it would inflict a serious injury upon any State that a recognized wrong should be deprived by the Legislature of a remedy.

Sir HENRY JAMES said, his hon. and learned Friend who had just sat down (the Solicitor General) seemed to think that by this Resolution it was desired to make an exception in respect of this particular class of actions. The action of breach of promise of marriage was an exceptional action. It was the only action in which damages could be recovered for wounded feelings. ["No!"] He said so; they might bring an action for injury to character, but that was different from wounded feelings. Day by day, in every condition of life, feelings were wounded by words spoken; but no damages could be recovered. Or take the case of a husband or wife who was killed. What damages could be gained for the grief caused to the surviving relative? But under the Roman law damages were granted. The learned Solicitor General said the damages were given for the loss that the woman sustained in consequence of not being allowed to enter into the married state—that was to say, they were to give damages to a woman for not being allowed to marry a man who was unwilling to be married. That could form no ground of damage to a woman, if she had her proper feelings—that she was not to be allowed to spend her life in the society of a man who had no feelings of affection towards her. The action was a punishment on the man who refused to make two lives miserable. A man might have other good reasons for not entering into marriage besides those connected with a commercial spirit. He might have found the temper of the woman not suitable to him; he might have found a temper with which nobody could agree; and they were punishing a man because he had the courage to say—"I think it better in the interests of both of us that our lives should not be spent in misery." He would support the Motion of the hon. and learned Member for Durham (Mr. Herschell).

Colonel MAKINS, having listened to the arguments of hon. and learned Members on both sides, whose opinions appeared to be about equally divided, ventured, as one of the public, to express his views. He thought that the only persons who would suffer, or at least the persons who would principally suffer, if the proposed change in the law were made were eloquent junior counsel, needy and speculative attorneys, and proprietors of newspapers. But, on the other hand, Judges and juries would be saved a great amount of time and trouble, and the public also would probably be benefited by the loss of much exciting and unwholesome reading. For that reason, he had no difficulty in voting for the original Motion.

Mr. HERSCHELL, in reply, said, he had no doubt that what the hon. and learned Solicitor General had stated about the French law had been laid down by certain Courts in certain provinces in France; but it had not been accepted by the best authorities as being according to the French law.

Question put.

The House *divided*:—Ayes 106; Noes 65: Majority 41.—(Div. List. No. 79.)

Main Question put.

Resolved, That, in the opinion of this House, the action for Breach of Promise of Marriage ought to be abolished except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss.

JURORS' REMUNERATION (IRELAND).

RESOLUTION.

Major NOLAN, in rising to move—

> "That Jurors in Ireland should be remunerated for the cost to which they are frequently put under the present Law,"

said, he rose with very great regret, and almost an apology, for bringing an Irish subject before the House at that time, for he would have wished not to have done so, so soon after the death of their great Leader (Mr. Butt), who had served his country so well, and whose loss hon. Members on all sides of the House so deeply deplored. But if he had not brought forward this subject on the present occasion, he would, in all probability, have not been able to find any opportunity of doing so during the present Session, and as when he was last in Ireland he promised several jurors to bring on the matter as early as possible, he felt constrained to do so on the present occasion. The House might not be aware of the great change that had taken place in the last few years in the jury system in Ireland. Formerly, jurors were only chosen from a privileged, exclusive, and small class, and the system had many disadvantages. It had recently, however, been greatly improved, and a great number of the middle class were now eligible to serve. He believed the change thus introduced by Lord O'Hagan's Act was a very valuable one, and that it had been productive of very good results in educating public opinion, and in putting the jury system on a perfectly fair basis. In introducing a change of practice in matters of this kind, however, they could not help inflicting a good deal of inconvenience, and that was exactly what had happened in this case. In Ireland the counties were sub-divided into baronies, and as a consequence of the system pursued in summoning juries, men were often brought from one side of the county to the other to attend Quarter Sessions and Assizes. In his own county of Galway, a juror travelling from Ballymaugh to the town of Galway, where the Assizes and Quarter Sessions were held, would have to travel something like 60 or 70 English miles to obey his summons. He also found a very strong feeling existing among these jurors who were called on to give up a great deal of valuable time to attend the Courts. An additional complaint was that they were often summoned when they were not wanted, as in a recent case at Quarter Sessions, where 125 jurors were summoned, and only 24 were required to serve. These jurors were often put to great inconvenience and loss in attending; but they told him that they did not mind their loss of time, but they did not see why they should also lose the money they had to pay out of pocket for travelling and hotel expenses. Many of them were poor men—only rated at £40 or £50, with incomes not much larger in amount; and it was to them a great expense to have to travel 40 or 50, or, in extreme cases, 60 miles, and to have to live at their own expense in an Assize town for four or five days. He himself quite thought that every juror should give his time for nothing; but, on the other hand, he ought to be paid something to cover the expenses out of pocket, so that he should not lose money as well as time. He would make the payment so low, that the amount received should be rather under than over the amount paid. From questions he put to various jurors, he thought from 5*s.* to 8*s.* a-day would satisfy the most of them. Some wanted their travelling expenses in addition, but the majority thought a lump payment of about the amount he had indicated would be better. He would leave the House to decide what the amount should be; but a very small sum indeed would make a material difference to men in this position who were most of them men with very small incomes. He knew the argument used against the proposal was that jurors ought to be willing to expend their money as well as time in the service of justice and the country. That was a tenable proposition in one way; but, on the other hand, this was to be viewed as taxation imposed on a particular class of men, many of whom were perfectly unable to bear it. Several classes were altogether exempted from the liability, as doctors, clergymen of all denominations, and many others, so that the small farmers and commercial men constituted the bulk of the jurors, and they alone had to pay that money tax. The cost of the administration of justice ought, confessedly, however, to be spread over all classes of the community, and he did not see why small farmers and commercial men should alone be mulcted. If they gave their time in the lambing season or mowing time, as they often had to do, they ought not also to be called on to bear the entire burden of railway fares and hotel bills. Then the question arose as to the sources from which the money should be obtained. He knew that there was a very great objection to charging local expenses on the Imperial funds; and he, therefore, did not propose that the whole of the cost of this charge should fall upon the Imperial funds. But as, on the other hand, the jurors had to perform duties which were partly Imperial and partly local, and were called upon to judge between the Crown and members of the community, he thought the fair way would be to pay half out of the Imperial Exchequer, and half out of the county rates. The county rate, or county cess, would appear, at first sight, the natural source from which this payment should come; but he would propose, instead, that it should be charged on the poor-rates, because the county cess was paid entirely by the tenant, while the poor-rate was divided between the landlord and the tenant. There would be one great advantage in that division. The main object was to summon sufficient, and not too many, persons at the minimum of inconvenience to them. The jurors now complained that they were summoned too soon, and that certain persons were favoured by omission from the summons list. But if this system of paying jurors was adopted, it would induce the officers of the Crown to be more particular about seeing that jurors were not summoned too soon nor kept unnecessarily long, as they now were. On the other hand, the fact of the allowance being paid partly out of the local rate would make the jurors themselves anxious, in order to keep down the rates, that the amount of the remuneration should be kept within the mark. If there were the same complaints in other counties of Ireland as there were in his own, this would soon become a great question; but it might very reasonably be presumed that the pressure of the inconvenience was only seriously felt in the larger counties. At present it was thought more of in Galway than elsewhere, because the distances the jurors had to travel there were greater than in any other counties of Ireland. He hoped the Government would give some assurance that, in some form or another, the jurors should be recouped at least a portion of their expenses. He had suggested the lines on which the matter might be settled, and he begged to move the Resolution of which he had given Notice.

Motion made, and Question proposed,

"That Jurors in Ireland should be remunerated for the cost to which they are frequently put under the present Law."—(*Major Nolan.*)

MR. MACARTNEY reminded the hon. and gallant Member for Galway (Major Nolan), that of late years great efforts had been made to add to the jury lists a class of men who, from their position, were almost certain to be incapable, from their limited income, of bearing the expenses of attendance. If, then, these men were unable to bear their own expenses, that surely was rather an argument for not making them jurors than for charging their expenses on the rates.

He feared that the satisfaction this proposal would give to the juror would be far more than counterbalanced by the general dissatisfaction at the increase in the rates which must necessarily follow. Again, it would be very unfair to throw half the charge on the Imperial Exchequer, for the Imperial cases certainly were nothing like half of those tried. He did not think this proposal would be received with general satisfaction in Ireland. Every man had to perform a certain amount of duty to the State gratis, and he certainly could see no reason why Irish jurors should be under a different system from that which existed in other parts of the United Kingdom.

Mr. O'SULLIVAN supported the Motion. He could assure the hon. Member for Tyrone (Mr. Macartney) that they did not want a reform in the jury law. All that was asked was, that men who came 25 and 30 miles to perform their duties to the State should have returned to them the bare expenses which they were out of pocket. A poor struggling farmer, with a very small income, was brought from his home to an Assize town, perhaps a distance of some 20 or 30 miles, which would cost him at least 5*s*. each way, and he could not get on for less than 5*s*. a-day in the town; so that if he were kept there four or five days it would be a matter of £1 10*s*. or £2 to him, no inconsiderable sum to a poor man, though it was a mere bagatelle to the county. He really did not think the Government ought to object to so moderate a proposition. Of course, he did not wish the payment to be made to jurors in cities or boroughs, because there the jurors could go home, and were at no expense, as the farmers were. In one case, a farmer complained that he had been fined £2 for non-attendance when his cattle had been seized the day before, and he actually had not the money to pay the railway fare. Such cases showed how poor the tenant-farmers were. He sincerely hoped the Government would do something in the matter.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, he was not sure that the hon. and gallant Member for Galway had considered all the difficulties surrounding this question, or bore in mind the exact position in which they stood in reference to legislation as to the jury laws in Ireland. The terms of the hon. and gallant Member's Resolution were in themselves very vague, and they could hardly, indeed, be more general or indefinite. He simply asked the House to remunerate Irish jurors without specifying the class of jurors, or the character or limit of the remuneration, or source from which it should be paid. The speech of the hon. and gallant Member was more definite; but even that did not define what was wanted with sufficient clearness to make the House to realize what he wished to have done. He understood the hon. Member who had just spoken (Mr. O'Sullivan) to say that he wanted the jurors—who were, he (the Attorney General for Ireland) would admit, very poor, and, in some cases, not well educated—to have their expenses paid; but he only asked them for a limited class—namely, for the county jurors, and not for those in boroughs.

Major NOLAN said, he did not propose to exempt the jurors in small towns. All his hon. Friend had suggested was, that they should exempt the jurors in large cities.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) begged the hon. and gallant Member's pardon. That was precisely the position of the hon. and gallant Gentleman. His proposition was that only jurors in counties should be paid, but that the constituents of hon. Members who represented large boroughs should not be paid. He need not say that any such distinction would introduce, without the smallest possible logical reason, the greatest possible amount of heart-burning. In the boroughs of Galway, Limerick, Waterford, and others, there was a very poor class of jurors, not distinguished in either position, education, or circumstances, from their brethren in the counties; and would it not be very hard to say that they must lose their time, while their more fortunate brethren, who were summoned from outside the boroughs, were to get from 5*s*. to 10*s*. per day? That was the first and a most moderate criticism that he had to make. But, then, who was to bear the cost of this charge? At the first blush, they would surely say it should be the suitors, who had the benefit of the services of these jurors. In civil cases that might in the event of such a change have to be done, and the result would be to weight the litigant still further, and to place a very substantial barrier in the way of poor claimants. The hon. and gallant Member did not seem to have borne this point in mind, for he had quietly proposed that half the expense of this charge should be borne by the poor-rates, which were never adapted or intended for any such matter, and half by the Treasury. He had personally nothing to say to the proposition that half the cost should be borne by the Treasury; but from his (the Attorney General for Ireland's) knowledge of that Department, he ventured to think that his hon. and gallant Friend would find very considerable difficulty in inducing the officers of that Department ever to consent to his proposition. He never yet met a Secretary to the Treasury with a soft heart, and there were many intelligent and close critics in the House who would look with great jealousy on any such proposal as this. Then it must be borne in mind, that there was a great difference between criminal and civil cases, and it was obvious that, while in one case part of the costs should be borne by the ratepayers, the costs in other cases should not be so borne, and in Ireland only one panel was summoned for the trial of both civil and criminal cases. How, then, could they know when a juror was wanted for a civil or a criminal case? It was, therefore, obvious, that there were a variety of difficulties in the way of the adoption of the suggestion of the hon. and gallant Member which were of a practical character, and which he did not think appeared to be considered at all. Again, supposing a juror were summoned, and got his expenses, and then did not attend, was that to be treated as a case of obtaining money under false pretences? But, supposing the man was not to be paid till he attended the Court—and it might be said, of course, that the objection he had urged was merely an objection as to the machinery—was he to be paid whether he gave a verdict or whether he did not? Was he to be paid without any regard to the way in which he discharged his duties? Everyone must feel a sympathy with the case of these jurors; but, at the same time, he thought the proposal could not be carried out. It had even been tried for a time in England. In 1870, jurors were put in a very much better position; but the plan did not work. The difficulties were so great, and the cost pressed so seriously upon suitors, that the plan had to be abandoned the year after. As the hon. Member for Tyrone (Mr. Macartney) had said, every man had a certain duty to discharge to his country, and part of that duty cast upon every man was to assist in the administration of justice. It had been said, that this duty of serving on juries exercised great influence on the minds of many persons as a great popular educator, and as teaching the advantages and benefits of the Constitution. But, although he could not agree in the Motion of the hon. and gallant Gentleman, he went quite as far as he did in practical sympathy for the class of men whom it was sought to benefit. Certainly, everything should be done to place as few inconveniences as possible in the way of persons who were called upon to serve on these juries, and everything should be done to make the times and places convenient for them. An attempt had already been made in this direction by summoning jurors for the Quarter Sessions from the immediate locality. The names, also, were taken in rotation, and men who had once attended, even if they did not serve, were not summoned again till their turn came round. These were attempts by which the inconveniences which unquestionably did press upon jurors were sought to be reduced. He admitted that it was a hardship that men who were very poor should be exposed to this expense and trouble; but it was a duty they owed to the State, and they must not mind being called upon at certain intervals to perform it. He hoped the hon. and gallant Member would be satisfied with the discussion he had raised; and though, as he had said, that he was unable to agree to the Motion, he had pointed out its present position, and when it came to be considered next year, it would be time to see whether further facilities would be placed in the way of jurors, so as to make it as little irksome as possible.

MR. SHAW hoped his hon. and gallant Friend (Major Nolan) would not divide the House, because he could not say that he was prepared to vote for the Motion. The question was one of considerable importance, and great difficulty. He could not for himself see why the jurors in civil cases should not be paid, for law was a luxury which all must pay for. It might, of course, be a tax on poor litigants; but the result would be that these men, instead of going to the Assizes or county towns, would have their cases tried at the Sessions. He remembered that at the last Assizes one man had to travel 100 miles in order to be present. That was a very great grievance, for the man was kept from his business for over a fortnight. Of course, it would be wrong for an impression to get abroad that the people had not a duty to perform in regard to criminal cases, or to allow them to think that they ought to be paid for their services in such matters. But he did think something might be done by dividing the large counties. They had tried that in vain, in Cork, for some time past. Although the injury which some of the poor people suffered by having to travel long distances was manifestly great, he would not, of course, pay jurors in cities; but he did not see why jurors coming from a distance should not receive a small sum, and he thought that might be easily raised, and without coming on the Treasury for it.

Major NOLAN said, he would not trouble the House with a Division, and he must admit that the question at present was not ripe for decision. Many jurors, certainly, did feel very strongly on the subject; and he should advise them to exercise their Constitutional right of Petition in order to make their grievances known. He must also add that he was not in favour of charging this amount on the suitors, nor did he think any juror should be paid until he attended.

Motion, by leave, *withdrawn.*

UNIVERSITY EDUCATION (IRELAND).

OBSERVATIONS.

The O'CONOR DON said, it was not his intention, at that late hour, to proceed with a Motion of so much importance as the one of which he had given Notice, respecting University Education in Ireland. But he did venture to ask the Government to give him some facilities for bringing it on, especially as the Morning Sitting of that day had deprived him of what otherwise would have been a very favourable opportunity. The opportunities of bringing forward Motions of that kind were now very small; and as the question was one of very great importance, he hoped the Leader of the House would be able to hold out some hopes of being able to give him some opportunity of introducing the Motion at a reasonably early hour. He did not want it made the First Order, and if it could come on about 10.30 or 11 o'clock, that would be quite sufficient.

The CHANCELLOR of the EXCHEQUER replied that he would be very glad, if it were in his power, to facilitate the bringing on of the Motion, which he recognized as one of very great importance. He should have thought it was hardly too late even then to bring on the question; but it was a matter of which the hon. Gentleman was himself the best judge. He could not make any promise for that week, at all events; and it was always inconvenient to take the course suggested, because it involved postponing the Orders, a Motion for which might in itself raise debate. The hon. Gentleman might possibly be able to find an opportunity on that day week; but if he could not do that, he (the Chancellor of the Exchequer) would be very glad to see if he could help him in what he desired.

The Marquess of HARTINGTON said, he was quite aware of the difficulties under which the Government laboured in a matter of that kind, and he was, therefore, quite sure his hon. Friend (the O'Conor Don) would avail himself of any opportunities which might come in his way. If, however, his hon. Friend was not successful, then he trusted the Government would take into consideration the appeal which had been made to them, not only on the ground that the Morning Sitting had deprived his hon. Friend of a chance he otherwise would have had, but because of the great importance of the question and the extreme fitness of his hon. Friend for the task he had undertaken. Since that House had lost the services of the late Mr. Butt, whose death they all deeply regretted, he thought the House would agree with him that a task of that kind could not have fallen into better hands. The subject was one with which it was at one time understood the Government themselves intended to deal this Session, and they had thereby led the House to suppose that they were not indifferent to its importance. If it became necessary, he thought the Government would do well to consider whether they could not grant the request of his hon Friend.

THE O'CONOR DON said, after the statement of the Chancellor of the Exchequer he would postpone the Bill to that day week, and, should he be again unsuccessful, he trusted he might then make an appeal to the right hon. Gentleman.

TRUSTEES' LIABILITY BILL.

On Motion of Sir GEORGE BOWYER, Bill to amend the Law regarding the Liability of Trustees holding shares in Banks and other Companies, *ordered* to be brought in by Sir GEORGE BOWYER, Sir EARDLEY WILMOT, and Mr. Serjeant SIMON.

Bill *presented*, and read the first time. [Bill 157.]

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, 7th May, 1879.

MINUTES.]—SELECT COMMITTEE—*Second Report*—Commons (Maltby, Redmoor and Golberdon, and Matterdale) [No. 173].

PUBLIC BILLS — *Ordered* — *First Reading* — Salmon Fishery Law Amendment * [162]; Tramways (Ireland) Acts Amendment * [163]; Local Government Provisional Order (Cartworth) * [158]; Local Government Provisional Order (Artizans' and Labourers' Dwellings) * [159]; Local Government Provisional Orders (Castleton by Rochdale, &c.) * [160]; Local Government Highways Provisional Orders (Buckingham, &c.) * [161].

Second Reading—Volunteer Corps (Ireland) [5]; Artizans' Dwellings Act (1868) Extension [31]; Statute Law Revision (Ireland) * [132].

Committee—Report—Local Government Provisional Orders (Ashton under Lyne, &c.) * [127]; Marriages Confirmation (Her Majesty's Ships) * [149].

Considered as amended—Convention (Ireland) Act Repeal (No. 2) * [116]; Trustee Acts Consolidation and Amendment * [106].

Third Reading—Pier and Harbour Orders Confirmation * [153], and *passed.*

PARLIAMENT—BUSINESS OF THE HOUSE.—OBSERVATIONS.

LORD EDMOND FITZMAURICE said, he rose to move the Adjournment of the House, in order to call attention to what had been done on three successive Wednesdays. He thought it desirable, in the interests of Public Business, that what had happened should not pass without notice. During the Recess they had been frequently told in the speeches of Irish Members that English Members showed an unwillingness to attend to Irish Business. The statement had been made not only in speeches, but in leading articles in Irish journals. Now, what had happened in the House on three successive Wednesdays was this—that Irish Orders of the Day had stood as the first Business on the Paper, and that a House had not been formed until after considerable delay. The Irish Members had not taken the trouble to come down, and make a House for their own Business; and finally, when a House had been made, it had been done chiefly by English and other Members brought down from the Committee Rooms upstairs. The result was that the business of the Committees was interfered with, and witnesses, many of them men of business, brought from all parts of the country, had been put to serious inconvenience by the interruption of the proceedings. He made these remarks in no spirit of hostility to his Irish Friends. He had himself on three successive Wednesdays come down at the request of his hon. and gallant Friend (Major Nolan) to help to make a House; and he had too many associations with Ireland to make it a disagreeable thing for him to assist in forming a quorum for Irish Business, if only the Irish Members themselves would bear their fair share in the task. Therefore, he had simply risen to call the attention of the House, and he hoped of the country, to the fact that, although an important Irish Bill stood as the First Order on the Paper for that day, there were only a few Irish Members present. [Major NOLAN: Fifteen.] The House had not been made mainly by those Members who ought to have made it. He hoped that some other Members might be induced to express their opinion on the subject. He had brought it forward with great hesitation;

but he felt that it was desirable in every way, both as regarded the transaction of Business in the House, and as regarded the importance of a knowledge in Ireland of what went on in the House, that some notice should be taken of a practice which appeared to be becoming regular, and which was neither creditable to the House, nor, if he might be allowed to say so, to those Members who, though he was satisfied they had the interests of Ireland at heart, did not take the trouble to do what he thought they ought—namely, to come down and take their fair share of the burden of making a House. To put himself in Order, he would move the Adjournment of the House.

Mr. CARTWRIGHT seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Lord Edmond Fitzmaurice.*)

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, it was part of his duty, as an Irish Member and an Irish official, to attend the House whenever Irish Business was on the Paper, and, as a matter of fact, he had that day been present since about 10 minutes past 12. He did not think the charge which had been made by the noble Lord against the Irish Members of not being present to look after their own Business was, as a rule, well founded. Taking not only what were called Irish Wednesdays, but the other occasions when Irish Business came on, he believed the Irish Members performed their duty in regard to their Parliamentary attendance very well. [Lord Edmond Fitzmaurice: I only referred to Wednesdays.] It must be remembered that the Irish Members discharged their duty under difficulties that did not beset the English Members. They came a long distance from their families and their homes, and many of them had pressing duties to perform which caused them to be absent from the House. He would remind the noble Lord of a circumstance which he would at once recognize as bearing on the point—namely, that the death of their illustrious and distinguished Friend (Mr. Butt) furnished a special excuse for the absence of many hon. Members who desired to be present at his funeral, and pay the last tribute of respect to his memory.

Major NOLAN said, he had first to thank the Members of Committees who had so kindly at his request consented to come down from the Committee Rooms and help to make a House. He went round to five or six Committees, and by nearly all of them he was asked the same question, namely, whether the Mace was coming—whether they were to be dissolved in case they did not obey his orders? He immediately assured them that he gave no order, that no Mace was coming, and that there was no coercion and no force. They were evidently prepared to resist coercion; but when he explained to them that he only begged of them to come down and start the Business they were very kind, and at once came, the noble Lord among the number. He wished the noble Lord belonged to the Home Rule Party, as he seemed to have a very high opinion of what Irish Members ought to do—that they ought to come down and attend to the Irish Business. For his own part, he wished they could always have 30 or 40 Irish Members present. Several of the Irish Members were among those who had that morning been engaged in Committees; but he wished they would give up Committees and everything else on Wednesdays in order to be present in the House when Irish measures were down for discussion. It would, he hoped, do the absent Irish Members good to read what the noble Lord had said that day. It was only right to say, however, that 15 Irish Members did come down, and there were many more than that present when the House was actually made. He was not himself present when the House was made, being at the moment busily engaged in trying to get Members to come. He was glad the noble Lord had called attention to the matter; and he confessed he did not know what they would do on Wednesdays if it were not for the Committees. They would probably have to change the whole system of procedure. He would only add that if the Irish Members did sometimes ask for a little assistance from the English and Scotch Members, there were none so willing to assist private Members as the Irish themselves. In fact, for the last six years the House had been largely made and kept by the Irish Members.

MR. W. E. FORSTER said, it was to be regretted that Members should be brought down from Committees, and leave important Business there, in order to make a House, and he was glad that the noble Lord had raised the question in such a good-humoured way, as it would probably be a material help to the hon. and gallant Member for Galway. As far as he was concerned, he had only been brought down from Committees to make a House twice in his life, and on both occasions the Business was Irish. No doubt, a circumstance which they all regretted accounted for the absence that day of several Irish Members who would otherwise have been present; but as regarded the general question, those English and Scotch Members who took an interest in Irish affairs might reasonably expect an example of punctuality of attendance to be set by Members from Ireland when Irish Business was first upon the Paper.

COLONEL KING-HARMAN thought the remarks of the noble Lord were peculiarly out of place on that occasion. If this had been a strictly Irish Bill, there might have been some reason for his complaint. As the measure set down for discussion had reference to the arming of 5,500,000 of Her Majesty's subjects, it was a question of Imperial concern, and he would have expected to see a large number of English Members, as, doubtless, there would be, when the first Division came on.

MR. SERJEANT SPINKS was glad the noble Lord had called attention to the subject; but thought he had rather made a mistake in putting it forward as a matter relating to Irish Business in particular. He considered it a crying grievance that a House on Wednesday was never made till nearly 1 o'clock. The hon. and gallant Admiral (Admiral Edmonstone) and himself were generally present very early in the day, and sometimes not any other Member was there with them, and they had the pleasure of sitting there and seeing no Business transacted. If the present practice should be persisted in, some other course would have to be devised requiring the attendance of 40 Members there earlier in the day to form a House. It was a matter that deserved the attention of the Government.

MR. O'SHAUGHNESSY observed, that the Irish Bills of the last two or three Wednesdays were measures brought forward by the Home Rule Party, which consisted of 50 or 60 Members. As a rule, a certain number of them were absent in Ireland on business that detained them. The distance was much greater than from any other portion of the Kingdom. Supposing, however, there were 35 or 40 Members in London, and if 20 or 25 of them attended to assist in making a House, as they had done that day, there was surely no cause for complaint. He should like to know whether any other section of Members desiring to make a House on Wednesdays for their own purposes mustered in anything like so good a proportion to their aggregate strength? There was not the slightest reason for saying they had failed in their duty. There had been between 20 and 30 of them in attendance to-day; but there was no reason why they should actually enter the House until they saw that there would not be enough to make a quorum. There was a remedy which could be easily applied by the noble Lord and his Friends. Let the English and Scotch Members—especially the latter, who owed a great deal to Irish Members—come down, and if they did not choose to consider Irish proposals, let them at least go through the form of pretending to take an interest in them. The Wednesday Sittings were the best proof of the way in which Irish measures were dealt with. Irish Members came down to discuss them, and the Attorney General for Ireland was always in his place; but the great body of the English Members stopped away till the discussion was just over, and then came down *en masse* to record their votes against the measure, at the direction of the powers that be. The fault was not with Irish Members, but with English and Scotch Members. It was for them to remedy it, and they could always be able to rely upon the assistance of the Members from Ireland.

MR. SAMPSON LLOYD said, that much of the evil arose from the fact of the monotonous bill of fare presented to the House on successive Wednesdays. Shortly after the Session began, it was found that nearly every Wednesday had been monopolized for Irish Business; and, as Irish Members had frequently urged that they should be left to legislate for Ireland, Members not belonging to that country naturally did not feel called upon to come down to make a House when only Irish Business was to be transacted. He thought that the Rules of the House ought to be altered so as to preclude the possibilities of Wednesdays being monopolized for a particular class of Business for more than four weeks in succession. If by that means a greater variety were introduced, there would be a better chance of the attendance of Members.

SIR JOSEPH M'KENNA said, he was not one of the Irish Members amenable to the observations of the noble Lord; and, therefore, he was in a position to speak on this question. The hon. Member who had last spoken had adverted to the fact that Irish measures occupied the first place on a disproportionate number of Wednesdays during the year. If so, that was one proof that the Irish Members had been attending to the legislative Business with which they stood charged. If the hon. Member opposite and his Friends did not find themselves so favourably placed on the Order Book as the Irish Members, it was because the latter, at great inconvenience to themselves, came over and paid adequate attention to the interests of their constituents. He would merely say further, that it was then 1 o'clock, and he hoped the noble Lord who was quite justified in calling their attention to the subject would withdraw his Motion, so as to allow the important Business for which they were assembled to be proceeded with without further delay.

LORD EDMOND FITZMAURICE said, he had only moved the Adjournment in order to raise the question, and he thanked hon. Members for appreciating the spirit with which he did so. Being satisfied with the discussion that had taken place, he was quite ready to withdraw the Motion.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

⁂

VOLUNTEER CORPS (IRELAND) BILL.

(*Mr. O'Clery, Major Nolan, Lord Francis Conyngham, Major O'Beirne.*)

[BILL 5.] SECOND READING.

Order for Second Reading read.

MR. O'CLERY, in moving that the Bill be now read a second time, said, it proposed to authorize the enrolment of Volunteer Corps in Ireland, to be established on the same principles and subject to the regulations at present controlling the Volunteer Corps in Great Britain and the Colonies. The Bill was drawn exactly on the lines of the English Volunteer Act of 1863, and it imposed no restrictions whatever except those to which the English Volunteers had submitted during the 25 years of their existence. It would extend to Ireland a great military organization similar to that of which Englishmen were so justly proud. Last year, when the Estimates were under discussion, he had endeavoured to get Ireland exempted from the payment of the £85,000 a-year she was at present compelled to contribute towards the cost of the English Volunteers; and the Secretary of State for War, in the debate on that occasion, stated that, speaking as a military man, he saw no reason why some such step as the formation of Volunteer Corps in Ireland should not be sanctioned. This was an age of armed nations, and all put forth their strength; but Great Britain could hardly be considered to be in a complete defensive condition so long as 5,500,000 of her subjects were forbidden to bear arms for the national defence. Before the Volunteer Act was passed Englishmen, equally with Irishmen, were denied that right; but, now that it had been conceded to Englishmen, it was a grievous wound to the Irish people, who were essentially and pre-eminently a military and, at the same time, a loyal race, that they should be deprived of it. He would not say more, but would simply move that the Bill be read a second time.

MAJOR O'BEIRNE, in seconding the Motion, trusted that before the end of the Session the Government would see their way to making this concession to Irish sentiment. The fact could not be ignored that the denial was inflicting upon the Irish people a very unmerited insult and stigma. No doubt, there were reasons why Lord Palmerston, when the Volunteer Forces were established 25 years ago, refused to sanction their extension to Ireland; but since then there had been great legislative and other changes, which had altered the relations between the two countries, and rendered such a distinction no longer justifiable. The charge that Ireland was disloyal was undeserved. There had been no agitation there for the last 12 years, except agitation of a very Constitutional character; and it was adding insult to injury to compel Ireland to pay part of the £485,000 annually spent on the Volunteers, while refusing to allow her to take an active part in the formation of the Force. He did not, however, lay so much stress upon that as upon the denial to Ireland of the advantages that had been derived in England from the infusion of a military spirit among the artizan classes, a proof of which had been lately afforded by the evidence of 10,000 Volunteers being ready to offer their services for the defence of the Empire. At the present moment, almost one-third of the British Army consisted of Irishmen, and yet they were not trusted to bear arms as Volunteers. He trusted the Government would give the question their most serious consideration; because the Irish people felt deeply the stigma of being held up to Europe as a people who could not be trusted.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Clery.*)

COLONEL KING-HARMAN said, that as an old soldier, an Irish landlord resident in that country, and an old Volunteer, having been a member of a corps from the commencement of the Volunteer movement in England, and having served in every grade till he had become Adjutant, he should support this Bill. He had, during the time he had served in the Volunteers, seen several of the Irish Volunteer regiments in England, and he would safely say that they were composed of Irishmen. They stood second to none in the Volunteer Service as excellent and good soldiers, and as loyal servants of Her Majesty, not only in England, but in Scotland also; and even in Glasgow and Liverpool, where Party spirit among the large Irish population ran very high, there were Irish regiments composed exclusively of Irishmen. There were Orangemen and Roman Catholics among them, but no disturbance was ever heard of, and the men were never found using their weapons against each other. In Canada, too, there were Irish Volunteers, and upon the assurance of Lord Monck, the entire defence of the Dominion was intrusted to these Volunteer Corps; and though Party spirit existed there between Orangemen of a most bigoted type and Roman Catholics, there was not the slightest antagonism manifested in the Volunteer Service. When a Fenian invasion was threatened, Volunteers of both Parties came to their standard with the same desire to defend the cause of law and order; and were the advantages and privileges of the Volunteer system extended to Ireland, he was convinced that Her Majesty would find no more faithful subjects, or more loyal people, or more staunch friends of law and order than She would find among the Irish Volunteers. If Parliament distrusted the Irish people, and said they ought not to be drilled because they might use their organization against Her Majesty's Government and the power of this country, his answer was that they had already drilled the lower stratum of the Irish people by passing them through the Militia, and sending them out as drilled soldiers, who had been reported upon by inspecting officers most favourably, as able to compete with soldiers of the Line. Then there were the Pensioners, than whom a more loyal body of men did not exist. They knew that at the time of the Fenian scare a certain class of people were drilled; but that was not the class from which the Volunteers would be taken, but a lower class, who would not be able to afford the time and expense which service in a Volunteer Corps necessarily involved. On the other hand, the respectable class had not at present the opportunity of drilling, not having the power of acting together, which had been one of the greatest benefits arising from the Volunteer movement in England. Nothing had been more common in Ireland than at Petty Sessions to hear of cases in which two, three, or four active young men of the lower middle class had been attacked on the road home from market by three or four desperadoes, or, as they would be called in England, "roughs." The presiding magistrate constantly asked the victims of such assaults—"What did you do?" and the reply generally was—"We ran away." If these men were accustomed to stand together they would not run away, but would stand shoulder to shoulder to beat off their assailants. There was another thing to be said in favour of the movement from a social point of view. Unfortunately, there were not to be found in Ireland, as in England, cricket-fields and other provisions for out-door amusement in every parish, and the higher and lower classes did not meet together in friendly rivalry of games and athletic sports as they did in England. He believed that the Volunteer movement would draw the different classes together in Ireland much in the same way, and cause a friendly, as well as a loyal and orderly, spirit to grow among the officers and men. He would not suggest that the Irish Volunteer organization should be placed at once on the same footing as the movement had obtained in England. The position in which the English Force now found itself was very different from what it was when the movement was first started. He would suggest that the Irish Force should be allowed to spring into existence very much in the same manner that the English Force did. It was not nourished, fostered, or pampered at the start. It was allowed to work its way up almost by its own unaided efforts; and the English people showed, unassisted and slighted as they were, their right and ability to bear arms by the manly way in which, giving up their time and money, they devoted themselves, in spite of neglect and derision, to becoming an Army with whom the defence of the shores of England might be left in case the Regular Army should be wanted for foreign service. It had been said that if arms were put into the hands of the Irish people, they would first shoot the landlords and then shoot one another. But it would be found that in almost every county in Ireland, and even in almost every barony, the landlords and the resident gentry were the most active promoters of the Volunteer movement. The idea of the people, when they became Volunteers, using their weapons in quarrels among themselves was perfectly childish. It was the constant endeavour to prevent fighting that was the real cause of half the disturbances amongst soldiers, and he really believed that many men would not fight with each other at all if they were not pretty certain that they would be stopped. In illustration of this theory, he might quote an anecdote of a certain Irish Militia regiment that was noted for barrack-room fights. One morning two of the men were brought before the Colonel for fighting over night. The Colonel, instead of ordering them three days days' drill, called two serjeants and said—"Take these men round to the back of the huts and make them fight;" upon which the men were taken to the back of the huts as directed, and in cold blood, and on a very cold morning, they had to strip off their shirts and fight it out. From that day there was no more fighting in that regiment. It was a slur to say that the people of Ireland were not to be trusted to defend their country. In every part of the Queen's Dominions, except Ireland, there were Volunteers; and in South Africa, when an Irishman came forward as a Volunteer, he was not asked whether he was an Irishman or a Roman Catholic, but only whether he was willing to bear arms for his country. Upon what principle could it be maintained that Irishmen in Canada, in Australia, and in South Africa were fit to be trusted with arms, but that in Connaught they were not? The position was illogical and absurd, and calculated to drive people into sedition. He could not suppose that Her Majesty's Government could adduce a single argument against the Bill which had been brought in that day. He hoped they would not attempt to do so. He believed that there was a good spirit abroad in Ireland; but if such a feeling did not exist, he believed that the refusal of the measure would create a much worse feeling.

MR. O'SHAUGHNESSY said, he hoped this measure would receive the assent of the Government, and pass. Whether it did so or not, however, the mere fact that so kindly and rational a speech had been made on the subject by an Irish Conservative Gentleman, was a matter on which the House and the country might be congratulated. It showed the advance which kindly and genial feelings were making in Ireland; for, 10 years ago, such a speech as they had just heard would have been almost impossible from the Conservative side of the House. To reject the Bill now, would be simply to give additional strength and force to the feeling of distrust which the Irish people were conscious was held towards them by the authorities under whom they lived. There was in this Bill a complete safeguard against any possibility of the powers conferred by it being used for disloyal purposes. In the Schedule there was an oath by which every Volunteer bound himself to be loyal to Queen Victoria, and to save Her Majesty against Her enemies. Anyone who knew the peculiar character of Irish disaffection, the dislike which disaffected Irishmen had of any form of English rule, their aversion to making any admission of allegiance or loyalty to the Queen, would know at once that no Irishman of Fenian tendencies would take that oath. He did not fear any danger from intrusting the people with arms; they had only to bring Protestants and Catholics together for a common object, trusting them equally, and treating them with no favour, in order to dispel any fears of disturbance. If the people of Belfast were armed under the provisions of this Bill, it would be the best guarantee of order, for no man clothed with the Volunteer uniform would disgrace the name of his country by being a party to unseemly disturbances. But there was a yet more important point in connection with the question. How could anyone who had looked at the effect which the Volunteer movement had produced in England as an educational measure, possibly deny such a system to Ireland? Hon. Members spoke of moral education and of mental education; but they sometimes appeared to forget that there was such a thing as physical education. Health exercise, in the way of drill or otherwise, turned many minds away from the dissipation in which they might otherwise be tempted to indulge. With regard to the observations that had been made as to the proposals of Lord Monck, the worst fate which could befall a measure like the present was that the Legislature should turn it into a class measure; and he hoped that nothing would be done, either directly or indirectly, to prevent Catholics from taking an equal part in the movement with Protestants.

SIR JOHN HAY said, that the debate had been maintained exclusively by Irish Members, and therefore he, as an English Member, desired to say that he should support the second reading of the Bill. He felt confident that the arguments which had been advanced in favour of Volunteer Corps in Ireland were arguments which could not be met by denial. The advantages of drill and discipline to the classes of persons who would join the Volunteer movement in Ireland, would be evident to all who saw the good effected by the Volunteer movement in England and Scotland. He was sure Her Majesty's Government had no desire to deny those advantages to the Irish people. They could have no better class of special constables than the Irish Volunteers would prove for the best preservation of peace was to enlist the sympathy of the population. He trusted the Attorney General for Ireland would permit the Bill to go to a second reading; and that he would, having charge of the peace of the country, take care that, if there was anything wrong in the Bill itself, it should be duly and properly amended in Committee.

MR. STACPOOLE joined the right hon. and gallant Member who had just spoken in the hope that the Government would support this Bill. He ridiculed the idea that the Volunteers in Ireland would not be as loyal as the Volunteers of England and Scotland. He referred to the fact that when the Indian Mutiny broke out a vast number of Irish Militia regiments volunteered to give their assistance to the Imperial Government in quelling such mutiny. The Government had now an excellent opportunity of making a concession to the Irish people; and he trusted they would avail themselves of it, and place the Irish people in this matter on the same footing with their English and Scotch fellow-countrymen. He suggested that the Militia Staff might be utilized for drilling the Volunteers.

MR. ISAAC said, that as an English Member, representing a large constituency, he should give his hearty support to the Motion for the second reading of the Bill. He did not believe that the creation of a Volunteer Force in Ireland would constitute in the slightest degree a political or a religious danger; and he thought that men ought to be allowed to join the Force quite irrespective of politics or religion. The extract read by his hon. and gallant Friend the Member for Sligo (Colonel King-Harman) was not from the Report of Lord Monck's Committee, but would be considered as coming with far greater force to the minds of Englishmen, when it was seen it was from one of the leading articles in *The Times* of last year, and was strongly in favour of the Volunteer force for Ireland. The natural aptitude of Irishmen for military life had been clearly proved by the services they had rendered to their country whenever their services had been required—in the Peninsula, at Waterloo, in India, and Africa, from the field-marshal to the private in every rank and in every station, they had deservedly had the thanks of Parliament and their country accorded to them. We must not go into past history, or the troublous times of old. England had had its Civil War, Scotland was not always as peaceable as now, and Ireland would be as loyal as either, if it was shown that we had confidence in its people. It was quite clear that the days were past when any feeling of distrust existed in this country with regard to Ireland. So long as we admitted Irishmen into our Army, our Navy, and the Volunteer Corps in England, Scotland, and the Colonies, there was no justice or consistency in denying them the right of organising themselves as Volunteers to defend the natural interests in their own country. He might quote some statistics from a Return obtained by the hon. Baronet (Sir Patrick O'Brien) which would show the large Irish element in the Army. There were in the Army 5,738 English, 785 Scotch, and 1,386 Irish officers, and 124,708 English, 14,235 Scotch, and 39,121 Irish non-commissioned officers and men. The recent admission of the Secretary of State for War that, from a military point of view, there was no reason why a Volunteer Force should not be extended to Ireland, was a good augury of what might be expected from the present Government in respect to this matter. He was satisfied, from his experience of the Volunteer Force in England, that it had tended to a good end, and he had sufficient faith in his Irish neighbours to believe that if the Government would allow a Force to be established in their country, the same good end would be arrived at. He agreed with what had fallen from the hon. and learned Member for Limerick (Mr. O'Shaughnessy) when he said that he thoroughly believed that if the Volunteer Force should be established in Ireland, it would be one of the means of securing the result so much desired—namely, the breaking up of the present ill-feeling existing between Orangemen and the Roman Catholics of the North. He agreed with the hon. and learned Member that the sooner they could bring those contending parties together in the same citizen service of soldiers the sooner they would get rid of the difficulties which at present existed, and the sooner they would find Ireland peaceable in name, as he believed it to be in reality. He hoped the Attorney General for Ireland would give the subject his best consideration, and would, at all events, allow the Bill to be read a second time, in order to give it a standing in Parliament; and that having done that he would, with his ability and knowledge of his country, make changes —if changes were necessary—in Committee, enabling them, during the present Session, to pass a Bill which would be an act of justice to Ireland and a credit and honour to England.

Mr. SHAW said, he hoped the Government would allow the Bill to be read a second time. He confessed that he was not greatly in favour of the proposals of the Bill; but he considered that the House, with the sanction of the Government, ought to read the Bill a second time, in order to remove the stain of the invidious position in which the law at present stood in regard to Ireland as compared with England. He could not see why they should not have the power, if they had the will, to form Volunteer Corps in Ireland. He hoped, however, that there would be a very material re-construction of the Bill in Committee; because if they proceeded on the present lines of the Bill there would be some danger of creating another element of division and suspicion in the country. None but men of comparatively easy circumstances could join these Corps. A certain amount of money was required to keep up the style and performance in which Volunteers indulged. In Ireland they had not the same proportion of the population who could afford either the time or money as they had in England or Scotland. Hence the difficulty and danger. If Corps were composed of the better classes in the North and South of Ireland, they would only have a feeling through the country that this was another piece of machinery for keeping down the people. Therefore, he thought it was necessary when the Bill got into Committee to materially re-construct it. He found, for instance, that the officers of the regiments were to be appointed by the lord lieutenants of counties. Now, nearly all of the lord lieutenants of the counties in Ireland belonged to one party in the State—so much so, that in some counties they could not get a magistrate appointed of a certain class or a certain complexion of politics. In fact, in some cases they did not even receive an answer to their application for such appointment. In re-constructing this Bill it was most essential that another element of suspicion and doubt on the country should be avoided. Personally, he did not believe in the Volunteer movement in England; in fact, he looked upon it as one of the greatest absurdities that could be imagined. [" Oh, oh!"] He did not suppose that was a popular sentiment; but it was one he wished to give expression to. They were all officers in Ireland. Every man was a captain. They never had less rank than captain. They always made it a point to give a man, when speaking of him, the benefit of a grade higher than he really was. His impression was that if this Bill were carried all the population of Ireland would be officers. It was really a most dangerous thing for the other sex that the House, after resolving to abolish the safeguard of action for breach of promise, should proceed to throw into the market such a mass of military aspirants as it was proposed to do. There was no possibility that the Volunteers would ever be asked to step to the front to defend their country. They met on Saturday, followed their drums; they were admired, and that was the beginning and the end of the whole thing. At the same time, he was in favour of the second reading of the Bill. But in Committee he intended that it should be completely re-constructed.

MR. BRUEN said, the speech of the hon. Member who had just sat down showed that the subject was not so perfectly simple as some supposed. There were difficulties surrounding it, and of such a nature as to form a sufficient excuse for the action of the Government hitherto in regard to this question. A great deal had been said about the suspicion and distrust which had been manifested by the fact that the Volunteer movement had not been extended to Ireland. Well, if that were so, who was to blame? He could not understand any Government extending the Volunteer movement to Ireland when the country was in a state of rebellion. No one in his senses would have advocated the extension of the movement to Ireland at the time of the great Rebellion of 1798. Therefore he said that, although there might be an evident mistrust, the English Government were not to be blamed for it. He was perfectly aware that of late the circumstances of the Irish nation had changed; and although it was felt requisite and necessary at one time to prohibit the establishment of Volunteer Corps in that country, it did not follow that it should always be resisted. This was not a Party question; because whichever political Party had occupied the Treasury Benches the same feeling had always prevailed—that of disallowing a Volunteer Force to be established in Ireland. The House ought to remember that this was a question which had been considered carefully by this and preceding Governments. When he came to deal with the proposition at the present time he felt that the question rested entirely with the Executive Government to decide; because they had the means of acquiring knowledge which private individuals did not possess; and if the Government should feel that they were able to recommend the House to assent to the second reading he should be delighted. He was prepared to say that, if he were asked to give any sort of explanation as regarded the state of opinion and feeling in the part of the country with which he was acquainted, he should say that there was no feeling that the extension of the Volunteer movement to Ireland would result in any danger. At the same time, he thought that the practical application of the movement ought to be, in some degree, tentative. It ought to be commenced in the way in which it was begun in England, and every safeguard should be taken that persons only should be admitted who were willing to support the Government of the country. The propensity of the Irish people to indulge in faction fights had been advanced as an argument against the Bill; but he was not at all sure whether it might not be advanced on the opposite side, because they might hope to find that drill and discipline would conduce to order and less conflict among the people. There was considerable force in the argument that after men had been drilled and subjected to discipline, it was less likely that they would indulge their passions or anxiety to insult each other, which sometimes occurred when they were not drilled and placed under discipline. As to the difficulty of making this movement at all popular, he could not see how it could be possibly done unless the Chancellor of the Exchequer could make some advance. The Volunteer companies must be clothed and armed, and until that was done by the Government it must be done at the expense of the men themselves. That rule must hold good in Ireland as in England. Therefore, there must be a certain amount of expense inevitably attached to the Volunteers. If that were so, he could not see how it was possible for the very poorest among the people to join the movement. It was impossible that this could be a completely popular movement, extending to all classes of the community. He hoped that whenever the time came for the establishment of Volunteer Corps the distrust and suspicion which the hon. Member for Cork (Mr. Shaw) had predicted would not be found to exist; and he trusted, likewise, that the hon. Member would not repeat to his own constituency the views he had expressed today, for by so doing a great deal of harm would result. He believed that the real effect of binding the men together in Volunteer Corps, officered by men of their own level and acquaintance, would be the creation of a very valuable feeling in Ireland. The Bill which had been now introduced was one which he should certainly not oppose unless he were recommended to do so on the authority of the Government. He should reserve his decision as to his vote until he heard the opinion which would be given from the Treasury Bench.

Mr. MITCHELL HENRY said, the establishment of a Volunteer Force in a free country might be considered as the crown and glory of the edifice, and he could not agree with those who spoke in disparagement of the Force. Anyone who remembered the condition of this country before the general appeal was made to the manhood of England to defend their own shores, must agree that no more glorious advance in Constitutional history was ever made than by the establishment of the Volunteer Force. At the time when they were in dread of a probable invasion from France, he recollected perfectly well how, almost every morning, the people got up, not knowing what would be the result before evening. Such was the popular belief, that the people thought the Emperor of the French would change the views he had hitherto professed, and find it to his interest, and consistent with his wishes, to declare war against this country, and to commence an invasion of it. Those who had read the last interesting and touching volume of the life of the lamented Prince Consort, would find in it some reference to the Volunteer movement, and to the effect which it produced on the country. He believed, from all he could learn about the Volunteers, and from his own knowledge—having served with them a good many years ago, and taking some interest in the movement now—that the Volunteer Force of this country was a tower of strength to England; and that, very far from being merely a Force which desired to parade itself in fine clothes and peacock's feathers on a Saturday, it was a Force which could be thoroughly depended upon to defend its own home. And then came the question whether a similar Force should be enrolled in Ireland. He presumed that the result of these ample appeals to the Executive Government would be the second reading of the Bill; but he should be sorry if the House were led away by the belief that such a measure as the present, or any measure to establish a Royal residence in Ireland, would in any way mitigate the evils of the condition under which the Irish people lived. Parliament refused to the Irish people the most ordinary privileges; they refused to them an equal franchise; they refused all those privileges for which the people had asked again and again. Only last night he had observed that, in "another place," a Bill from the people in the North of Ireland for the right to make a railway on the narrow gauge was thrown out by consent of both sides of the House. Noble Lords, both Liberal and Conservative, agreed that the Irish people should not be permitted to make a narrow-guage railway in the county of Donegal. It was absurd to suppose that such a decision would not cause great discontent in Ireland. It would, therefore, be a very great misfortune if the House of Commons was cajoled into the idea that there was a spirit of perfect contentment with the Government of the country. There was no such thing. The Irish people were thoroughly discontented with the manner in which they were treated. They were discontented in being denied equal franchise; they were discontented with the fact that, year after year, the House of Commons denied them other of the ordinary privileges of citizens, which were given to the people of England. The Bill would, perhaps, be allowed to pass the second reading, and then that fact would be appealed to as a proof of how ready the House was to put confidence in the Irish people; but it would be sure to be strangled in Committee. He believed that in time a responsible Government would be established in Ireland to regulate its internal affairs, and then a Volunteer Force would be established which would be popular in Ireland. He viewed with great alarm the proposal to use Volunteers as special constables in Ireland, as he was convinced that it would be fraught with evil results. There were too many persons in Ireland already engaged in keeping the peace. Let England really make it the interest of Ireland to be thoroughly loyal to their country; give them the same institutions that they enjoyed themselves; give them the same reason for loving the Queen as Englishmen had; let them be treated in like manner with the rest of Her Majesty's subjects; let them really form one portion of the United Kingdom by a union of hearts and interests, and, believe him, they would then establish a Volunteer Force, consisting, not merely of the regiments, who might be composed of lord-lieutenants and of persons who would be able to buy their uniforms, but they would have a loyal people rising in arms to defend their common country against every form of foreign invasion.

SIR WILLIAM HARCOURT said, he had listened with great interest to the debate. It was the most striking debate he ever heard on an Irish question. Members on both sides of the House were unanimous in opinion in favour of the Bill. When Members like the hon. Gentleman who represented Sligo (Colonel King-Harman) and Carlow (Mr. Bruen) supported the Bill, he thought it was most suggestive. He found himself very much in the position of the hon. Member for Carlow, though without his knowledge of the condition and social position of the people of Ireland. That hon. Member said he should be guided in his action by the opinion expressed by the Executive Government. Now, if that was the view of an Irish Member, he thought still more so should it be that of an English Member. This, as the hon. Member for Carlow had said, was no Party question, for both Parties had hitherto been agreed in withdrawing from the Irish people the liberty of forming Corps on the Volunteer system. One could easily understand that in times of plotting and conspiracy, when it was necessary to suspend the Habeas Corpus and pass Peace Preservation Bills for Ireland, it would not have been proper or consistent to make any proposals for raising a Volunteer Force. But everyone must feel that if there was nothing in the social condition of Ireland which would make it dangerous to law and order, then every argument was in favour of Ireland being put on the same footing in this respect with England and Scotland. That was a matter which must be within the cognizance of the Government; and it must rest with them, as it had rested on former Governments—for it was throwing no new responsibility on the present Administration—it must rest with them to say whether, in their opinion, it was or was not safe to adopt the Volunteer system in Ireland. Unless they were prepared to say that such an adoption would lead to public disorders, then, it seemed to him, every argument was in favour of admitting the principle of the Bill. It weighed strongly with him when he heard the hon. Member for Carlow—speaking from a knowledge of his own country—say he had no objection to it; and the hon. Member for Sligo had also used arguments of considerable weight. He said — and political and social experience confirmed the truth of his observations—that men became enlisted on the side of order when they had accepted the training and discipline of Volunteers. That was the tendency among these Corps. Something had been said about their being used for the purposes of the repression of civil disorder. Now, that would be a most unwise thing. He did not say it was not within the power of the Crown to do that; but every prudent Government must be extremely averse to it. The employment of the Yeoman Cavalry for the purpose of keeping public order in the case of the Peterloo riots was an experiment which had been attended with such consequences that he did not suppose any Government would wish to repeat it. But there was no apprehension of such a thing. The police in Ireland were extremely efficient; and the House ought, as much as possible, to put out of sight the possibility of Volunteers being used for civil repression. He did not agree with the hon. Member for Cork (Mr. Shaw) in his humorous disparagement of the Volunteer movement in England. They had been a great social and political advantage; but, no doubt, as it had been shown by English experience, there would be in Ireland a danger in the direction indicated by the hon. Member for Cork. The Volunteers must necessarily—and they always would —fall into the hands of the well-to-do people, and they must be on a very different footing from the Militia. Thus in Ireland it must become, more or less, what had been called a "Class Force." It certainly could not fall into the hands of the poorer classes. There was in Ireland a tendency to draw a broad line between the rich and the poor—a distinction more or less connected with religion. No doubt, this question was connected with some slight danger in this respect. The hon. Member for Galway (Mr. Mitchell Henry) had introduced into the discussion some considerations which ought not, in his opinion, to weigh with the House in determining the question immediately before it. He spoke, and with him he concurred, of the right the Irish people should have of determining how or when their own railways should be made. He (Sir William Harcourt) quite agreed with that; and certainly would give every support to a proposal for giving that control to an Irish body, independent of the English Parliament. A proposal for the management of Irish railways by an independent body having control of railway legislation he should consider most reasonable, and he would be prepared to give it cordial support. But that need not be taken into consideration on the present question. It would be extremely unfair for anybody on the front Bench to put pressure on the Government on this subject. He felt the responsibility rested with them. They had knowledge of the condition of Ireland that nobody else could have, and it was for them to say whether they considered such a proposal safe or not. If they were not prepared to say the condition of Ireland was such as to make the measure inconsistent with public security, then every argument was in its favour. In view of the concurrence of opinion among Irish Members—both those on the Conservative side and others—the principle was deserving favourable consideration. He had not had an opportunity of considering the details; but it appeared to him that the framers of the Bill had guarded the matter considerably. By the 2nd clause the Crown had power to accept the services of any number of Volunteers. The Crown was not compelled to accept if, in the opinion of the authorities, it was unsafe or undesirable to form the Corps. The Crown had power to accept through the lord lieutenant of the county; therefore, it would be for the lord lieutenant to say whether or not it was desirable to raise any Force. The next safeguard was found in the provision that all officers were to be commissioned by the lords lieutenant of the county, and he imagined it was within the discretion of these officers to say who were to be appointed or not. The 12th clause gave power to the Crown to disband a Corps; therefore, he thought it was left entirely with the discretion of the Crown how far, or how little, the powers given under the Bill should be exercised. That was the proper course to pursue. He could not agree with the hon. Member for Cork on this point, and the provisions seemed most essential. He did not know what would be the scheme of the hon. Member, whether men should appoint themselves and their officers whenever they thought fit; but by such a plan, so far from putting Irish Volunteers on an equality with those of England, they would be under a totally different system. Volunteers were one of the Reserve Forces of the Crown, just as much as the Army; and it must be left entirely to the control of the Crown to say how, and where, and when, they should be appointed. All he could say was that, echoing what had been said by the hon. Member for Carlow—unless Her Majesty's Government were prepared to say it would not be a safe thing to adopt, he thought the measure was entitled to the favourable consideration of the House.

Sir JOSEPH M'KENNA said, he thought it must be gratifying to the Government to find from both sides of the House a desire to defer to their judgment. He was diffident in speaking on the subject in the presence of so many Volunteer officers, not hitherto known to them in that capacity; but he did not think he need be under any apprehension from their frowns, and he had no desire to escape from their fair censure. The hon. Member for Galway (Mr. Mitchell Henry) had referred to what had taken place in "another place" on the subject of narrow-gauge railways; but he did not see what that had to do with the subject. If any great mistake had been made on the subject of Irish railways—which he did not believe—in "another place," he could not see how it could affect this question whether the condition of Ireland would justify Her Majesty's Government in sanctioning a Bill for the establishment of a Volunteer Force in that part of the United Kingdom. It seemed to him that when the Volunteer Force was established by law largely throughout Great Britain, it was an invidious distinction, not justified on grounds consistent with the self-respect of Ireland, that she should not be allowed the same privilege. If Gentlemen from Ireland came forward and bore testimony to the fact that the condition of the country was such as justified the establishment of such a Force, he failed to see upon what grounds the House could object to the second reading of this Bill. If there were grounds for this invidious distinction, they should be openly stated; if not, the Bill ought not to be opposed. Of the principle of the Bill he cordially approved, although it might be possible that the details of it might require consideration in Committee. For instance, he would rather place his trust in the War Office than in the lieutenant of the county; though he freely confessed that if he knew that every county was as well provided with a lieutenant of such knowledge and judgment as the county where he had the honour to serve as deputy, then he would say the appointments could not be left in better hands than the lieutenants of the counties. But he had no such assurance. But he had complete confidence in the Crown in such cases. With respect to the fears that these Forces might be used as a civil Force for the repression of local disturbances and rioting, he believed that, except under the last extremity, no Government of either Party would commit so grave a mistake as to use the Volunteer Force for civil repression. He dismissed that as an imaginary danger. With respect to the arguments used by the hon. Member for Galway, he was sorry they had not heard something from his hon. and gallant Colleague (Major Nolan) on the subject of Volunteer Forces in Ireland, and whether he had the same distrust which appeared to pervade the mind of the hon. Member (Mr. Mitchell Henry).

Mr. MITCHELL HENRY: I did not express distrust. On the contrary, I said that Ireland should be treated in the same way as England.

Sir JOSEPH M'KENNA accounted himself as fortunate in his observation, as he had been the occasion of his hon. Friend putting his sentiments in a form much clearer than he did on the former occasion. He trusted he had said nothing in the least degree reflecting upon his hon. Friend. No one could be less disposed to do so than himself. He had spoken from the impression on his mind; and if he had misrepresented his hon. Friend, he apologized and withdrew the remark. He confessed it would be a species of affront to Ireland if the Bill were refused a second reading. The matter had been recommended to the Government under circumstances having no precedent in the House with regard to the establishment of Volunteer Forces. Conservative Gentlemen from widely different parts of the country, and with great knowledge of the districts they represented, had expressed their confidence in the condition of the people being such as to make it quite safe to carry the Bill into law, providing Her Majesty's Government had not strong facts to urge on the contrary. One word on the subject of Volunteers being "a Class Force." In some sense, it was so in England. No one having had experience of the Volunteer Forces would doubt that the *personnel* was much superior to that of the Militia; and, without disrespect to the Army, rather above the *personnel* of private soldiers. With respect to Ireland, he ventured to say there would not be so great a distinction between the lower substratum of society and the class in the Volunteer Corps as that which existed in England. Some of the under classes would be proved men, of respectable habits, having tastes for military exercise, and fond of companionships in an honest, upright way. These men would, no doubt, find admission into the Force. He concluded by giving the Motion for the second reading his hearty support.

Sir GEORGE BOWYER said, the Government would not hesitate to consent to the second reading, and for the reason that he thought nothing would be more prejudicial to the peace and prosperity of Ireland than an idea that the Government distrusted the people. Such a mistrust would be most unjust, and the slightest knowledge of the country carried with it a rejection of the charge. No more disloyalty existed in Ireland than in England, and disloyal persons in either country were not those who became Volunteers. He was not quite sure whether the Volunteer movement would prove such a success in Ireland as it had been in England, for there was such a large proportion of Irishmen in the Army—and it was to the benefit and glory of the British Army that that was so—for he thought in that way the instincts of the people found an outlet. Still, it was most desirable that the option of forming themselves into Corps should be enjoyed in Ireland as well as in England. Having for many years represented an Irish borough, he had, in the words of Spencer, become Hibernior Hibernis, and was proud of it. Thus nationalized he had become a member of the London Irish Corps, which mustered as well as any other Corps in the Service, and in point of discipline and efficiency was not inferior to the Regular Army. It was commanded by an Irishman—the Marquess of Donegall—and was composed of Irishmen of all sects and parties; but there was not on that account any difference between them. On the other hand, they were united by a feeling of *esprit de corps*. If, in London, Irishmen could raise such a well-disciplined, well-officered Force, and of such numbers, surely there was reason to believe they could do the same in Ireland. Ireland was now in a state of profound peace, and was ready to supply at home a body of Volunteers equally loyal and efficient as were their countrymen in the London Corps. With regard to the appointment of the officers, he thought that should rest with the lords lieutenant of counties, subject to the approval of the War Office. He trusted the Government would cheerfully assent to the second reading, leaving details for Committee. He congratulated his hon. Friend on the Bill, and hoped it would become law.

Mr. H. A. HERBERT said, the formation of Corps of Irish Volunteers would not only be beneficial to the Empire in time of danger, but would be useful to the nation by bringing the various classes into closer sympathy, and thus paving the way to a better social understanding. In the discussion upon the appointment of officers, it should be borne in mind what was the practice in the English Corps. When first established, Forces were raised in various parts. Great manufacturers, landlords, and others took a leading part, and from time to time these Forces were banded together. They elected their own officers, and in some cases the Colonel appointed their officers. In many of the Corps, however, the men elected their officers. One of the most important points in connection with Volunteer Corps in Ireland was that the men should have some voice in the selection of their officers. Anyone who knew the feeling of *esprit de corps* existing among men of one district would know that these men would willingly join Corps officered by gentlemen whom they knew perfectly well. With reference to the class comprising the rank-and-file, of course the poorer classes could not be expected to pay the expenses of uniform, &c., without help. He believed that in England they had a big fund by which a poor man was assisted. In Ireland he believed the movement would take its rise in the large towns, but by degrees other Corps would be formed; and gentlemen of the county, tradesmen, and those who could afford it, would join together and form Corps in different localities. One of the things they required in Ireland was the opportunity of associating together. They were few now. There seemed to be some strata of society that would not blend together. In his part of the country threatening letters were entirely unknown, although he would not say that

that was the case in the whole of Ireland, for, unfortunately, it was not so. He had heard just now a remark made by one hon. Member that the Volunteers were better than the Army. He had some experience of both Volunteers and the Army, and must say that he thought the Volunteers ran the Army very close, both in effectiveness and discipline. He had heard no arguments which he thought were valid against the Bill; and, therefore, should support the second reading of it, and hoped that the Government would not only give their support to the Bill, but would afford facilities for passing it through Committee.

MR. BULWER looked upon any institution such as that of the Volunteers, which required of those who joined it submission to discipline, fostered in them habits of obedience, and, at the same time, involved no sacrifice of independence or self-respect; and which was calculated to make men better citizens and more loyal subjects, as, in this sense, eminently a conservative institution, and he, therefore, supported the Bill. He did not see any practical difficulty in officering such a Force in Ireland. The only objection he had heard urged against the proposal was that it was a dangerous experiment to try in a country where Party spirit and religious feeling ran high; but, for his part, he had not any fear on that score, as the men who would join the Volunteer Force would not, he hoped, belong to that class of Irishmen who indulged in processions and Party fights.

MR. ANDERSON wished to say one or two words with regard to the Bill now before the House. With respect to his experience in the Scotch Volunteers, he knew that in Glasgow many of the members of the Volunteer Corps there were Irishmen, and he must say that he had never known the Irish members of the Glasgow Volunteer Corps to fail in their duty in any way whatever. Neither in discipline or in ability in shooting were they below any other of their comrades. He could not, for his part, conceive why the Irish people should be worse when in their own country than they were elsewhere. The Irish were, as a general rule, fond of good shooting; and he must confess that he could not see what reason there was to prevent such facilities being given to them to enjoy good shooting which were given to the people elsewhere. So great was the feeling to belong to Volunteer Corps on the part of persons living in Ireland that he had known Irishmen who were living in Ireland join Volunteer Corps in the South of Scotland for the purpose of taking their drill. He thought that showed the great desire the Irish had for joining Volunteer Corps. It was a mere dream, all this talk about the disloyalty of the Irish who were not to be trusted with rifles. He certainly was of opinion that the best way to make men trustworthy was to trust them; and he believed that if they wanted to make the Irish a loyal people, it could only be done by trusting them in all respects as they trusted the people of England and Scotland. A remark was made by one hon. Member that the Volunteer movement would be "a class" movement; but he entertained a very different idea. He knew that in Scotland, and also in England, many of the best Volunteers belonged to the working classes, and he hoped that when they agreed to establish Volunteer Corps in Ireland they would in no respect whatever be considered to be a class body, from which the working men were to be excluded, and he thought if that course were adopted it would be a most unfortunate thing in every respect. With regard to the appointment of officers, he thought that the plan which was followed out in this country ought to be followed out in Ireland—namely, that the men should elect the officers, subject to the approval of the lords lieutenant of the counties. That seemed to him to be the proper course. He did not wish to detain the House any longer; but he might say that he should give his support to the Bill, and he hoped that Her Majesty's Government would also give their support to it.

MR. GREGORY observed, that if the present condition of Ireland was favourable to the enrolment of a Volunteer Force there, such had not been at all times the case; and the contingency of the possible return to such a state of things ought not to be lost sight of in legislating upon the matter, lest they might be putting arms in the hands of those who might make a bad use of them. Officers would naturally be inclined to make their force as numerous and efficient as possible, without regard to the political opinions of recruits. He would suggest that some precautions should be taken in selecting the places where arms and ammunition should be deposited; that they should either be parts of the police barracks or closely connected with them; and that the regulations for returning the arms to such places after parades or firing practice should be of a stringent character.

General SHUTE said, he should vote against the Bill, because he did not see that there was the least necessity for the establishment of Volunteer Corps in Ireland. Still, it was only fair he should say that there were no more loyal men in the Army than the Irishmen after they had been subjected to military discipline; and that he believed that learning their duty as citizen soldiers would do much to render the people of Ireland peaceable and orderly and less liable to be influenced by political agitators, who were the curse of their country. He did not believe in any difficulty as regarded obtaining superior officers; many would be found glad enough to be called colonels, majors, and captains; but where the subalterns were to be found was another affair, or men such as it was desirable to embody. The class from which we draw our Volunteers in England, he might almost say, did not exist in Ireland. He had always been in favour of the Volunteer Force, because he felt that, in this country, it had proved a most valuable link between the Army and the population, and had created a kindly feeling between them. He did not think the Bill was required, and, therefore, it was not desirable to try a somewhat doubtful experiment.

Colonel BERESFORD supported the Bill. He had no fear whatever of arming and drilling Irishmen of even a lower rank than those who might be expected to join the Volunteer ranks; and as one the grandest things which ever happened for England was the establishment of the Volunteer Force, he did not see why the same results should not follow in Ireland if the Bill were passed. He therefore trusted that Her Majesty's Government would accept the measure.

Sir PATRICK O'BRIEN, having opposed the proposal in 1861, wished now to state that he had altered his opinion upon the question, as the circumstances of the country had changed. He did not think the concession would be received with any degree of enthusiasm in Ireland. Still, he thought Ireland should be placed on the same footing with regard to the establishment of Volunteer Corps as the rest of the United Kingdom. The Bill would require some alterations in Committee. He supported it because he thought that the same justice and privileges which were extended to England and Scotland ought to be extended to Ireland.

Mr. W. HOLMS thought that the Irish people should have the same facilities for the establishment of Volunteer Corps as the English and Scotch had. The object of having a Volunteer Force was to show to the whole world the advantage of being prepared for any emergency; and there was nothing raised the prestige of this country so much as the fact that we had 200,000 Volunteers giving their money, time, and service for their country. It appeared to him that the arguments in favour of establishing Volunteer Forces in England and Scotland applied with equal force to the case of Ireland. Ireland was never as peaceful as at present. But should any Irish regiment become disaffected, the Crown had power to disband it. Were he an Irishman, he would feel that a gross stigma was placed on his country by its being kept in a different position from England and Scotland in this respect. Every fourth man in the British Army was an Irishman, and the Irish in the Army were not less patriotic and loyal than the English and Scotch.

Mr. R. E. PLUNKETT thought it somewhat astounding that the Government should accept this Bill, when they heard the Irish Members who sat below the Opposition Gangway state that if an Irish Force were sent to Zululand they would fight for the Zulus. It was, therefore, a matter of some moment that the House should understand whether this Volunteer Force which it was proposed to raise was to be a hostile or a friendly one? It was clear that those Gentlemen must either give up saying things of that kind, or else consent to be taken at their word. In his opinion, there was not in Ireland one-tenth of that disloyalty which those Irish Members who at public meetings talked nothing short of treason would lead them to believe. Those Gentlemen ought to be more careful in their language, and give up the luxury of talking treason, if they wished the House to pass measures of this kind.

MR. FRENCH rose to Order. He wanted to know whether the hon. Member for West Gloucestershire was in Order in alleging that any Member of that House talked treason.

MR. SPEAKER said, that if the hon. Member had imputed treasonable intentions to hon. Members for what they had said in that House, he would be out of Order; but the hon. Member appeared to be referring to speeches which had been delivered outside that House.

MR. R. E. PLUNKETT said, that was exactly what he was doing. On one occasion, when he had reminded a supporter of this Bill of language used by him when advocating it in Ireland, he had been told that he must not attach much weight to it, because nobody meant what he said in that country. In this country we were in the habit of meaning what we said, and he trusted that in future Irishmen would be more cautious in the language they used. If this Bill were to pass, perhaps when Irishmen began to feel that some little importance was attached to their utterances, they would become more guarded in the language they used. If the measure became law, he hoped to see the restriction removed that prevented Volunteers in one part of the United Kingdom from being available in another in the case of invasion. He could not, however, conceal from himself the serious responsibility which the Government were taking upon themselves in agreeing to the proposal. He believed if the officers of the Force were not carefully selected they would have American filibusters coming over to officer it. It was true the Queen could disband any regiment which showed signs of disloyalty; but there was not any provision made for getting the arms out of the hands of the men disbanded. He should not, however, divide the House upon the question of the second reading of the Bill; but he would do all in his power, at a subsequent stage of the Bill, to introduce into it such safeguards as appeared to him be necessary.

MAJOR NOLAN observed, that the hon. Gentleman who had just spoken had had the good taste to select an English constituency instead of an Irish one; but he had not forgotten Ireland. He had taken advantage of the absence of the hon. Member for Meath (Mr. Parnell) to attack him. As a general rule, the hon. Member for Meath was able to take care of himself, and if the hon. Member for West Gloucestershire repeated these attacks, the hon. Member for Meath would, doubtless, be prepared to reply. If, however, the English-Irish Gentleman, who represented an English constituency, had attacked the Bill, he was glad to say that the English Members, who represented English constituencies, and the Scotch Members, who represented Scotch constituencies, had received the Bill with the greatest kindness. It seemed to be a general feeling that they should be put in the same position as England and Scotland in this respect. Should the hon. Member for West Gloucestershire watch his opportunity, it might be possible for him, by objections and Amendments, to make the measure perfectly worthless, by rendering it different from the law in England and Scotland. What was the object of the Bill? It would enable the Government to get 42,000 additional men to defend the country; and, secondly, it would remove a stigma from Ireland. Our Fleet might be shattered in an hour, as the result of some new invention. If our Fleet should be destroyed in any way, the country would feel a greater loss from want of numbers than from anything else. The Volunteer Force of England he believed to be efficient. He would not say that any Volunteers were equal to men who gave their whole time to military drill; but in a couple of months' consecutive training they would, perhaps, be quite as good; and he believed it to be most unwise for any country to deprive itself of the services of from 40,000 to 50,000 men. If some hon. Members were jealous of Ireland, could it be wondered at that some were jealous of England for being strong? If such a spirit of jealousy were encouraged, could they wonder that the feeling could be reciprocal? However, he wished to see existing not a policy of mutual distrust, but a policy of mutual confidence.

MR. MACARTNEY referred to disaffection in Ireland, and said, that when in this century we had three or four risings against the Imperial power—when the greater part of the Press of Ireland had breathed disaffection and disloyalty — and he was sorry to say, that the Press was very largely read and circulated among the people who were likely to form the Volunteers—when he saw that those who ought to repress those feelings did nothing but encourage the people in their dislike of the Saxon and their hatred of Imperialism, he might be permitted to say that it was something of a risky experiment to expect the Irish Volunteers to be as ready to fight for the defence of the country against a foreign enemy as the Scotch or English Volunteers. Was it the case that in England or in Scotland three cheers would be given for the Zulus? Was it the case that in England or Scotland men would not be content to wait for Constitutional remedies to obtain their rights, and not to resort to force? He must say he thought it would be extremely dangerous to arm a people who might not always be loyal, and put in their hands the rifle and musket. It had been said that the arms need not remain in the hands of the Volunteers; but if they were not Volunteers to be relied upon, what was the use of them? It had been said that the arms should be in the hands of the colonel; but what could he do if, during a contingency, his men were disaffected, and his house was surrounded by, perhaps, 100 men, who would have nothing to oppose them but a few servants? How could he keep the arms from the men? He did not know how safeguards were to be inserted for the purpose of preventing, as the hon. Member (Mr. Plunkett) had said, the appointment of officers returning from America, with the intention of taking part in a disloyal movement. He did not want to speak against his country. God forbid that he should! For he was an Irishman to the core of his heart, and he only wished he could see Ireland placed on the same footing with England; but he could not say that Ireland was altogether loyal. It was not the case; and it had been stated, over and over again, that it was not the case. He recollected having to present a statement, some three or four years ago, and an hon. Member said that matters had come to such a pass in Ireland that they could not get a man to accept the Queen's shilling and enrol himself under the flag of the country. That was laughed at; but the people had been preached to all over Ireland—"Do not enlist. You are only assisting a corrupt Government to trample upon your liberties." As long as such a doctrine as that was preached it was dangerous to arm the people, who among themselves were constantly fighting. In his own Province of Ulster they would soon hear of an engagement taking place between a regiment of one county and a regiment of another. He confessed, however, that no one would be more delighted to see these uncomfortable ideas completely dissipated than himself.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) observed, that certainly there had been a singular unanimity of opinion either in favour of the second reading of the Bill, or else, putting it more moderately, that the second reading should not be opposed, and that in Committee of the House the time should be selected for making Amendments, and for providing such further safeguards as were necessary. He did not think the debate, on the part of any hon. Members, had been characterized by any immoderate tone; but he had not found it shown that there was any feeling in Ireland in favour of this movement similar to the sentiment that prevailed in England in 1859. Some of them very well knew that this great Volunteer movement was encouraged in England; that it was supported and pressed forward in England with a great amount of enthusiasm; and that a great feeling of zeal in the movement prevailed from one end of the country to the other. Now, no one suggested that there was a parallel to this in Ireland, and it would be absurd to say that in Ireland there was any such feeling with reference to the Volunteer movement. There was nothing of the kind. He did not believe there was any great feeling on the part of any section of the people in favour of this movement. He himself was disposed to think that, assuming this Bill should finally go to a second reading and pass into law, the movement was not likely to be made anything like the large use of that had been the case in England and Scotland. He did not think this would be found to be otherwise than the fact; and he did not think any Member from Ireland would differ from this expression of opinion. The real basis of the movement, advocated so moderately and temperately, was the desire to get rid of anything like exceptional legislation, and the desire to remove, as far as possible, what might be regarded as a stigma on Ireland. He thought this was more the feeling which underlay the discussion than any feeling that there was really a practical grievance for redress, and that was a sentiment which he himself largely, whenever he reasonally could, was glad to sympathize with. As an Irishman, he was always glad when it devolved upon him, as the spokesman of the Government, to make any reasonable concession. As everyone knew, the question was not as absolutely simple as some hon. Members appeared to think. There were circumstances connected with Ireland which might not render it impossible for them to pass this measure, but which surrounded its consideration with the necessity for caution. It was obvious that he should not enter into details, and it was not a matter for any one Party or any one man. But occasions might arise when it was most necessary that those who had the heavy responsibility and grave duty cast upon them of watching over the peace of the country should regard with serious attention any measure which might lead largely to giving arms to a large section of the people. He did not want to express more than that, or to deal more in detail with the question. Again, as long as there was a substantial portion of the country—and he was glad to say that it was diminishing—under the Peace Preservation Act, that fact further introduced some difficulties and interposed considerations which indicated the necessity of precautionary measures, and showed that the matter was one not absolutely simple. It was desirable that the Bill should go into Committee, and that it should be examined very thoroughly, to enable the Government, and those who thought in the direction in which they thought, to introduce Amendments which they might deem necessary as further safeguards and qualifications, giving the War Office and Executive Government direct and ample control over the movement. Some of the hon. Members, however, who had spoken of the necessity of looking at the measure with caution, he thought, had not considered deeply the qualifications already contained in the Bill. The Bill did not authorize the formation of Volunteer bodies under any person. It was an organized and regular movement that must be systematized strictly under Government. No one could be received as a member of a Volunteer Corps without the full sanction of the commanding officer, and that would be a check on the character of the ranks. He also believed there was a most complete check over the officers of a Volunteer Corps; and he believed it would be entirely impossible for those gentlemen from America, to whom his hon. Friend the Member for West Gloucestershire (Mr. Plunkett) referred, to come here and get subsistence as Volunteer officers, because he found that the 4th clause of the Bill provided that every Volunteer Corps should be officered by persons appointed by Her Majesty's approval. He thought an officer who came over from America to take command in a Volunteer Corps would be bound to show that he was worthy of the position in order that he should have the confidence of Her Majesty's Advisers. Again, it should be remembered that the Militia of Ireland were a body of men well-formed and well-behaved and respectable, and yet they came from a far lower class than the Volunteer soldiers would come as a rule. Also, the Militiamen lived among the people during the interval between the training periods, and they had an opportunity of using their organization against the law; but, as a matter of fact, it had been found that they had not abused their opportunity. He should think that in the case of the better class they would not be found either to forget or abuse the privileges confided to them by any such measure as this. He thought it had been well pointed out by the hon. and gallant Member for Sligo (Colonel King-Harman) that the movement in Ireland, assuming it to be inaugurated, must begin as quietly and as moderately as it commenced in England. The English Volunteer movement had in it the spirit of growth. It carried with it a facility for growth; and the English Volunteers showed by self-sacrifice, by the sacrifice of time and money, that they desired to be made capable and vigorous and a useful organization. Well, if there had been any indication on the part of any section of the Irish people to identify themselves with this movement, he thought they should begin with the quiet beginnings that had characterized England; and they should show, by their own conduct and their own desire to work and to advance in the movement, that they really did require further facilities to be given for such a movement. It was clear, however, that the Bill before the House demanded immense changes to be made in it. He understood the effort was not to present a measure perfect in all its features, but to have a Bill which would, nevertheless, express a principle; and that the hon. Gentleman who introduced the Bill would be content with having that principle affirmed, and would leave the details afterwards to be dealt with. He therefore hoped that the hon. Member would hereafter give a careful examination to the clauses of the Bill, and make substantial changes, which would in his leisure moments occupy and amuse him for the next few weeks. Many of the clauses of the Bill were, as they stood, extremely singular. In one instance, the Chief Commissioner of Works, a purely English official, had power given him to select places for drill; in another the mode of procedure was that prescribed in an Act of *Will.* IV. for facilitating the conveyance of workhouses in England and Wales; in another, reference was made to an Act of *Geo.* IV., which authorized the disposal of unnecessary prisons in England. Then, again, from the beginning to the end of the Bill, no reference whatever was made to the Lord Lieutenant or the Chief Secretary. Another assumption was that there was in that country a perfect turnpike system. Such matters required a good deal of change, and there were also others which he had not mentioned, and to the correction of which the hon. Member would have to devote some of his spare time. The Chief Secretary for Ireland had given consideration to the Bill; and he (the Attorney General for Ireland) was happy to be able, on the part of the Government, to accept the second reading, subject to the observations that he had thought it his duty to make.

Mr. O'CLERY accepted the conditions under which the second reading would be taken, and said, that as to the Bill itself, his first duty was to present proofs to the House sufficient to show that he wanted no change whatever in the system which applied to England and Scotland. He only regretted that he had not the advantage of his right hon. and learned Friend's name on the back of the Bill, as it might have saved him from all the little errors that crept into the measure. Unfortunately, they were printers' errors.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 28th May.

ARTIZANS' DWELLINGS ACT (1868) EXTENSION BILL.—[Bill 31.]

(*Mr. Torrens, Sir Thomas Chambers, Mr. Goldney.*)

SECOND READING.

Order for Second Reading read.

Mr. W. M. TORRENS, in moving that the Bill be now read a second time, explained that it was identical with one that had been accepted by the House in the year 1868. It provided for the demolition of houses that were unfit for habitation, and restored the clauses by which compensation was given to owners, and security provided for better dwellings being promptly built for the same class of occupants. The latter clauses had been struck out in 1868 by the House of Lords. The Bill passed without them, and the result was that it was comparatively inoperative. It was not just to lay the blame of this upon the vestries, many of which had done real good with the limited powers conferred upon them. In Holborn, 150 houses had from time to time been put into thorough repair, when denounced as unfit for habitation, under the Act of 1868, and threatened with demolition; 51 were actually pulled down, being found hopelessly decayed; 26 of these were in consequence re-built, several besides were closed, and still remained so. In the parish of St. Giles, 30 different groups, varying in size, but containing in all 160 houses, were condemned by the vestry; of which 99 were pulled down and 53 compulsorily put into thorough repair, 66 had been re-built, and the sites of the remainder would eventually, no doubt, be leased or sold for the same purpose. He could multiply instances of a similar kind elsewhere; and he referred to them as evidence that the parochial authorities were not indisposed to use the means of improvement which Parliament placed in their hands, meagre and insufficient though they were. In truth, it seemed absurd to suppose that these bodies would not prefer to have new and sound rateable property in their respective districts, to ruinous and insolvent dwellings, or vacant sites. The sense of municipal self-interest in this respect was further stimulated by the wholesale dilapidations which frequently took place for street improvements, whereby hundreds of habitations were destroyed without any of them being replaced for years. The misery inflicted in this way was not more certain than the pecuniary loss to the rates. He dwelt upon the point, lest it should be once more said that to give increased powers to vestries and district boards would be of no use, because they had not hitherto used more indiscriminately the demolition powers they possessed. In his opinion—and he had looked long and attentively into the question—the vestries would have been stupid, reckless, and cruel, if they had, when Parliament had refused them power to compensate and re-build. Everyone knew the necessity of removing dwellings which were unfit for human habitation, and the importance of doing so in such a way as not to overcrowd other localities. The Act of 1875 was carried by the Home Secretary, because he said the rookeries must come down. But most of the rookeries still existed, and he might mention that in the district of Whitecross Street, in which houses covering 7½ acres were doomed to demolition, the population was nearly 10,000 souls. These 10,000 people were condemned to eviction without any other dwellings being provided for them. A certain space was cleared two years ago, and it still remained as bare as a graveyard, the dispossessed inhabitants being crowded into the houses that remained. It was one of the many districts he had himself visited in the course of the past winter, with a view to ascertain from personal observation the actual condition of things, and their condition as compared with what had existed 10 years ago. He must tell the House plainly that the change which had taken place was not for the better, but for the worse. He had gone without notice, and, for the most part, without being known, accompanied generally by a medical friend acquainted with the district, or by one of the parochial clergy; and the impression made upon his mind by the scenes he had witnessed were ineffaceable, and beyond his power to depict as they ought to be painted. In one instance, he found in a room some 10 feet square the mother of the family alone; her mate, she said, was at his work, and the children out of doors; there had been five of them, and four remained. He asked what had become of the fifth? "There, Sir," she replied, pointing to a little coffin which occupied the only shelf in the room. She said the child had been dead a week, and they were gathering money enough to bury it. She did not seem to understand what had been the cause of death, but said she had no other place to keep it than the room in which they all lived by day and by night. The question invariably put by these unhappy people was, how soon the new buildings were to be commenced? That was the question he now desired to put to the House. He had accompanied a deputation on the subject to the Board of Works, and they were told that greater progress could not be made, because of the obstacles which existed under the Act of 1875 in dealing with property. A correspondence between the Home Office and the Board of Works upon this subject disclosed the fact that up to January last the Board had not been able to do more than come to an agreement as to the claims for compensation, and make the necessary contracts. Three years and a-half had been spent in pulling down one-fifth of the premises, without even beginning to re-build; and in negotiating about freeholds and leaseholds, while the plight of the wretched people was necessarily made worse than ever. At this rate of progress, nothing effectual would be done till Doomsday. What the parochial authorities asked for was power to carry out in detail the necessary improvements themselves, and charge their own rates to cover the expenses, seeing that the Board of Works was unable to do what was required. He trusted the House would not refuse their request. According to a Return which had been made last year, without any reference to this question, he found that from 1851 to 1871, during which time the Metropolitan Board of Works had been the central municipal authority, the population had risen from 2,300,000 to 3,200,000, while the house accommodation had only increased by one-fourth. At the same time, the rental of the area had increased from £11,500,000 to £23,700,000. The rent had therefore doubled, while the accommodation had relatively decreased. He did not rest his case upon any exaggerated notion of sanitary danger; but he contended that over-crowding was destructive of all sense of decency and morals. It was subversive of religion, provocative to anarchy, and antagonistic to civilization. As an illustration of what he meant, he might say that he knew of a case in which certain private employers who had erected houses for their workmen had been applied to for a two-roomed dwelling by one of the best men in their employment, whose family consisted of a son of over 20, and two daughters aged 16 and 17 respectively, all of whom, with their parents, were to sleep in the same room. This man was an exceptionally favourable specimen of his class, and yet he was quite unconscious that such a mode of living was in any way wrong. He (Mr. Torrens) desired to change the local authority from the Metropolitan Board to the vestry or the district board, in order to harmonize the Bill in this respect with the Act of 1868; but he would give a co-ordinate jurisdiction to the Metropolitan Board in case any of the authorities neglected their duty. Since the Bill had been printed, before Christmas, he had received communications from nearly all the local bodies exercising jurisdiction in the matter throughout the Metropolis, and they were unanimous in attesting the urgent need of some effectual measure to promote re-building without delay. From the wholesale dilapidation without re-building that was going on, things were getting worse and worse every year. In point of humanity it would be unpardonable, as a matter of policy it would be insane, to neglect or palter with the evil. He would conclude by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. M. Torrens.*)

Mr. ISAAC, who had a Notice of Motion on the Paper that the Bill be read a second time that day six months, said, that if the measure had been confined to the Metropolis he would not have interfered with it. His objection to it was chiefly that it would clash with the Acts of 1868 and 1875. Some of the definitions also, and several other points, called for serious consideration. He had, however, arranged with his hon. Friend opposite to have various Amendments considered; and, this being so, he would withdraw his opposition to the Bill.

Sir HENRY SELWIN-IBBETSON said, he was very glad to hear that his hon. Friend was willing to withdraw his opposition. The subject was one that, above all others, interested him, and he looked back with the greatest satisfaction to having been able to assist the Home Secretary in regard to the Act of 1875. No one could deny the necessity for action in the matter, and everyone must hail with satisfaction any measure which gave promise of some remedy for the present state of things. Those parts of the Bill of 1868 which made it operative were struck out in "another place," and that was the reason it had had so little effect. The local authorities had power to demolish, but were denied all power of compensation; and they, therefore, naturally hesitated to apply the Act. The present Bill would be specially useful in dealing with small nuisances, where the larger machinery provided by the Act of 1875 could not conveniently be set in motion. He entirely concurred in the attempt to supplement the defects of the Act of 1868. The present Bill, however, would require a good deal of care and attention in Committee. There were several points on which it would require considerable alteration, in order to make it harmonize with recent legislation. He was empowered to say, on behalf of his right hon. Friend the Home Secretary, that he assented to the second reading, though he reserved the power of introducing Amendments in Committee. For his own part, he heartily wished that the Bill might become law.

Mr. GOLDNEY said, he was glad to hear the speech of the Secretary to the Treasury, who had done so much to promote beneficial legislation on this subject. One object of the Bill which had not been pointed out was to enable improvements to be carried out in cases where there were a number of owners, and some of them refused consent. He hoped the Bill would quickly become an operative Act.

SIR. JAMES M'GAREL-HOGG was sure it would be believed the Metropolitan Board of Works had done all they could to carry out the Act. Those critics who accused them of not having carried out the Act of 1875 as quickly as they might could have very little idea of the difficulties which had to be encountered. For one thing, it was very difficult to let the land that had been cleared. In some cases it had been offered at half its commercial value, and even then it had remained unlet. He thought it was desirable to strengthen the hands of the vestries and the district boards for carrying out improvements which the Metropolitan Board could not execute under the Act of 1875. He cordially supported the propositions of his hon. Friend who had moved the second reading, and he was able to endorse all he had said with regard to the dreadful condition of the dwellings, and the necessity for an immediate remedy. He reserved the right to suggest Amendments in Committee; but he wished the measure hearty success.

MR. SHAW LEFEVRE said, the Act of 1868 was rather a Towns Improvement Act than an Artizan's Dwellings Act. He believed there was no case in which an artizan's dwelling had been erected under it. He thought the present Bill would be a good one, provided the compensation clauses were carefully considered. He would assist his hon. Friend in endeavouring to carry the Bill through Committee.

MR. BRUEN said, he hoped the provisions of the Bill would be extended to Ireland, where it was wanted, though not so much as in the large towns of England. As to the compensation to be given to the owners of many of the houses of the working class in some towns of Ireland, he observed that as the condition of those houses was contrary to all sanitary principles the owners would not be entitled to much compensation.

SIR SYDNEY WATERLOW thanked the hon. Member for Finsbury (Mr. Torrens) for bringing in this Bill, and he thought the discussion would show some of the reasons which had caused such delay in the re-construction of houses under the Artizans' Dwellings Act, 1875. The large vacant spaces described by the hon. Member for Finsbury were blots upon the Metropolis. The hon. and gallant Member for Truro (Sir James M'Garel-Hogg) said time was required for re-construction. No doubt; but he would point out to the hon. and gallant Member and his Colleagues that Parliament, in passing the Act of 1875, contemplated the sale, or letting, for the purposes intended by the Act, of the land cleared under its provisions. The proper course was to advertise the land thoroughly a first, a second, and perhaps a third time. If that were done, the condition of things would not be as at present—namely, land cleared of houses and working people placed in worse circumstances than they were in before they were removed; while it was impossible to say when houses would be built upon the vacant plots. There were vacant plots in Whitechapel, which were miserable spectacles. No purchasers could be secured, because the conditions of sale were so arbitrary and burdensome that nobody could touch them at any price. If this Bill became law, it would be useful in the case of small properties. Perhaps it would be better if, at the beginning, too much were not attempted. He hoped that in the clauses—especially those relating to compensation—some slight modifications would be made.

SIR MATTHEW WHITE RIDLEY said, that the Home Secretary regretted he was unable to be present at the discussion on this Bill; but the right hon. Gentleman had desired him (Sir Matthew White Ridley) to say that he did not view with the least jealousy the introduction of the measure. There was plenty of room for the action of this Bill, and also of the Act which bore his name. It would be necessary in Committee to consider the various sections, which were not drawn so carefully as they might be. Various observations had been made as to the work done by the Metropolitan Board, and the obstructions met with under the Act of 1875. Unfortunately, great spaces had been cleared, and, at present, very few buildings had been erected to supply the places of the buildings that been taken down. He ventured to say, on behalf of his right hon. Friend, that he had been using every endeavour to promote the construction of houses on the sites. He was authorized to say on his behalf that, from the present state of the negotiations, he had every reason to expect that in three years every site cleared under the Act of 1875 by the Metropolitan Board of Works would be occupied by artizans' dwelling-houses.

SIR UGHTRED KAY-SHUTTLEWORTH agreed in the opinion that if this Bill passed into law there would be plenty of room for the action of it, as well as of the Act of 1875. He understood that in the Return which he moved for at the beginning of this Session there would be evidence of the action taken by the Secretary of State for the Home Department. He ventured to think that the Act of 1875 might have been carried out more vigorously, if so many opportunities of delay had not been afforded to local authorities; and he would suggest to the Government the expediency of amending the Act in that respect. He would also suggest the expediency of something being done in the Bill with reference to dwelling-houses in rural districts.

MR. MARTEN trusted that this Bill would lead to the simplification of previous Acts.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

MOTIONS.

SALMON FISHERY LAW AMENDMENT BILL.

On Motion of Mr. JOSEPH COWEN, Bill to amend the Law relating to Salmon Fisheries in England and Wales, *ordered* to be brought in by Mr. JOSEPH COWEN, Mr. EDWARD RIDLEY, Sir ARTHUR MIDDLETON, and Mr. HAMOND.

Bill *presented,* and read the first time. [Bill 162.]

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.

On Motion of Mr. COLLINS, Bill to amend the Tramways (Ireland) Acts 1860, 1861, and 1871, *ordered* to be brought in by Mr. COLLINS, Mr. SHAW, Mr. BRUEN, Mr. COGAN, and Mr. GRAY.

Bill *presented,* and read the first time. [Bill 163.]

LOCAL GOVERNMENT PROVISIONAL ORDER (CARTWORTH) BILL.

On Motion of Mr. SALT, Bill to confirm a Provisional Order of the Local Government Board relating to the Local Government District of Cartworth, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 158.]

LOCAL GOVERNMENT PROVISIONAL ORDER (ARTIZANS' AND LABOURERS' DWELLINGS) BILL.

On Motion of Mr. SALT, Bill to confirm a Provisional Order of the Local Government Board, under the provisions of "The Artizans' and Labourers' Dwellings Improvement Act, 1875," relating to the Borough of Derby, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 159.]

LOCAL GOVERNMENT PROVISIONAL ORDERS (CASTLETON BY ROCHDALE, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Local Government District of Castleton by Rochdale, the District of Heywood, the Local Government District of Littleborough, the Improvement Act District of Middleton and Tonge, the Local Government Districts of Milnrow and Royton, the Sittingbourne and Milton Joint Hospital District, and the Local Government Districts of Wallingfen, and Wuerdle and Wardle, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 160.]

LOCAL GOVERNMENT HIGHWAYS PROVISIONAL ORDERS (BUCKINGHAM, &C.) BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board under the provisions of "The Highways and Locomotives (Amendment) Act, 1878," relating to the Counties of Buckingham, Kent, and Worcester, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 161.]

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 8th May, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Pier and Harbour Orders Confirmation* (73); Prosecution of Offences * (74).

Second Reading — Habitual Drunkards (26); Land Drainage Provisional Order (Bispham, &c.) * (65).

Committee—Report—Railways and Telegraphs in India * (63).

Report—Elementary Education Provisional Orders Confirmation (Brighton and Preston, &c.) * (48).

Third Reading—Elementary Education Provisional Order Confirmation (London) * (47); Local Government (Ireland) Provisional Orders (Clonmel, &c.) * (49); Metropolis (Little Coram Street, Bloomsbury, Wells Street, Poplar, and Great Peter Street, Westminster,) Improvement Provisional Orders Confirmation * (50), and *passed.*

SOUTH AFRICA—THE ZULU WAR—REINFORCEMENTS.—QUESTION.

LORD TRURO asked, If it was true that further application had been made to the Government from South Africa for military reinforcements on the report of Lord Chelmsford?

VISCOUNT BURY: A telegram was received on Tuesday night from Lord Chelmsford, stating that the garrison of Natal and the Transvaal might require reinforcements, and that three battalions would be wanted; and also asking for stores—apparently to replace those lost in the *Clyde.* Steps have long ago been taken to replace the latter; but the information contained in the telegram was considered to be so imperfect that it was decided not to take any action beyond getting stores in readiness until we received the despatches covering the telegram.

HABITUAL DRUNKARDS BILL.

(*The Earl of Shaftesbury.*)

(NO. 26.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF SHAFTESBURY, in moving that the Bill be now read a second time, said, that the Bill was altogether a novelty in Imperial legislation. It was purely permissive and experimental, and as it had come up from the House of Commons, he hoped that their Lordships would accept it, and join them in an effort to apply some remedy, however small, to the great evil that was devastating all social life, and threatening the very manhood of Great Britain and Ireland. But though experimental, it rested on a good foundation; for the system had long been tried, and on a large scale, in Scotland and the United States. It was asserted that great and permanent results had been obtained—and asserted, too, with a good show of reason; for though many of the relapses might not be known, some not recorded, and others concealed, there was quite enough of evidence to justify the institution of the proposed experiment. Considerable authorities, no doubt, had declared that such efforts were utterly hopeless, and could issue only in failure; but the Report of the Committee in the House of Commons, over which Mr. Dalrymple presided—a Gentleman of whose labours, intelligence, and zeal it was impossible to speak too highly—established beyond question the fact that the attempt, at least, might be made with confidence. True it was that many might object to merely experimental and permissive legislation; but the supporters of the Bill pleaded the peculiarity of the case, the necessity of the position, and believed that endeavours, even if somewhat abnormal, were called for, that they might discover, if possible, some loophole of escape from one part of the evil that beset them on every side. The point before them for consideration was the power of restraint to be given over those who had voluntarily entered the retreats. It was a power much asked for in Scotland and the United States—for though in some of the States local enactments had been passed to that effect, such enactments were declared to be unconstitutional; and although, both in Scotland and America, the patients went in of their own accord—which was a hopeful sign—the Medical Profession of both countries were very loud and decided in their demands for legal power of detention. Under the first Bill proposed to the House of Commons very large powers were claimed for forcible seizure and imprisonment. Retreats, moreover, for such persons were to be opened at the expense of the country. The present Bill was more restricted, for it contemplated none but retreats founded by private enterprize or charitable subscription, and into which the patient was to be admitted only at his own request. By some persons it was denied that a man had a right to surrender his liberty; but he did not believe that this plea would find much favour with their Lordships. Men surrendered their liberty every day, with a view to their personal benefit, by engaging, for instance, as soldiers or sailors, or even as ordinary servants; or were allowed to submit to a surgical operation which might cost them their lives, and which a surgeon could not undertake against their will without laying himself open to the charge of at least a grievous assault. The case of an habitual drunkard was specially similar to this last. He found himself suffering from a grievous disease, and voluntarily gave up a portion of his liberty in order that he might be cured. But here could be no fear of abuse, for under the Bill every form of security was given. Now, drunkenness had hitherto been regarded as a vice. They had in the police courts "drunk and disorderly," "drunk and incapable," and other distinctions. It was now to be treated, in a great measure, as a disease, or something akin to disease. It was, perhaps, difficult to discover at all times which it was, but that in many persons it was vice was beyond all dispute, and it was much to be deplored that in our magisterial decisions offences were so often condoned because committed under the influence of liquor. The learned Sir Edward Coke was not of that mind, for he said—

> "A drunkard who is *voluntarius dæmon* hath no privilege thereby, but what hurt or ill soever he doeth his drunkenness doth aggravate it."

But, whether vice or disease, was not of so much importance under the present Bill, which was simply voluntary; under the compulsory measure it was almost vital. Vice, however, it was in abundant instances. Short periods of punishment were of no avail, and the laws were not strong enough to inflict long ones. That point, again, need not come under consideration at the present moment, for the provisions of the Bill, as it stood, would be within the reach only of the well-to-do people; and unless charity were largely stimulated no retreats would be opened for those whose excesses disgraced and endangered society. On this point he would call the attention of the House to some very judicious observations by the Rev. J. Willett, Superintendent of Inebriates' Home, King's County, New York. Mr. Willett said—

> "After many years of careful investigation, surrounded with facilities for inquiry and study which few men have been able to command, we are free to state that while we are forced to regard drunkenness as a disease, at the same time we are fully convinced that in its preliminary stages it is, in the large majority of cases, avoidable, and, therefore, this class of inebriates are mentally and physically responsible for their debauches and for all the consequences resulting therefrom. Some weak-minded men regard it impolite to refuse an invitation to drink with a friend or in company, when invited to do so. The great bulk of this silly class drift into habits of intoxication. Some men drink for stimulation. This is frequently the case in literary circles. As the dram must necessarily be increased from time to time, intoxication ensues, and the mighty men are brought low. Some men drink in order to drown sorrow. This class of men very soon succeed in drowning the little brain power once possessed. Some men drink for the purpose of forwarding business. They cannot buy or sell without ratifying the bargain with a debauch. Notorious criminals drink for the purpose of nerving themselves for the perpetration of premeditated crime. They first charge the revolver with powder and bullet, and then fire the brain and stimulate the nerves with alcohol, so that they may be prepared for the perpetration of any deed which may be found necessary for the accomplishment of their object. In this last class of cases which we have presented all the parties concerned are obviously responsible for their conduct, and they ought not to be allowed to plead intoxication as an excuse for the crimes which they may commit while under the influence of liquor."

But, regarded as a disease, habitual drunkenness might be either acquired or hereditary. Disease was, perhaps, too strong a term to be applied to all cases; but no other could be found. In some it was called morbid appetite, craving, a tendency against which it was difficult to contend, and so on. In some it arose from intermediate causes, and could not be ascribed either to vice or disease, such as excess of care or sorrow, overwork, or a blow on the head. But that the evil—either in the form of craving for drink, or other forms of mental, moral, and physical imbecility—was hereditary, and derivable from parents, rested on universal testimony. He had, many years ago, preparatory to a Motion in the House of Commons on National Education, instituted much inquiry from most of the lunatic asylums in the United States and in England. Their evidence was then identical, as it was now, that the sins of the parents were visited unto the third and fourth generation. But he requested the very special attention of their Lordships to a report by Dr. S. G. Howe and others, appointed as Commissioners to investigate the condition of idiots in the State of Massachusetts. It appeared in the 28th Annual Report of the School for Idiots in 1875—

> "The habits of the parents of 300 of the idiots were learned, and 145—nearly one-half—are reported 'as known to be habitual drunkards.' Such parents give a weak and a lax constitution to their children; who are, consequently,

'deficient in bodily and vital energy and predisposed by their very organization to have cravings for alcoholic stimulants.' Many of these children are feeble and live irregularly. Having a lower vitality, they feel the want of some stimulation. If they pursue the course of their fathers, which they have more temptation to follow and less power to avoid than the children of the temperate, they add to their hereditary weakness and increase the tendency to idiocy in their constitution, and this they leave to their children after them. The parents of case No. 62 were drunkards, and they had seven idiotic children."

He begged their Lordships to listen again to the last paragraph of the extract—

"The parents of case No. 62 were drunkards. and they had seven idiotic children. Now this statement not only showed the hereditary nature of the evil, but it met an objection oftentimes urged in opposition to their efforts."

They were encountering, it was said, only symptoms, nor did they take the drunkard in hand until his malady had become almost inveterate. At the first glance it might seem that there was nothing really remedial or preventive in such legislation; but, at the second, one must come to a different conclusion. This couple had seven idiotic children, whose existence was a burden and an impoverishment to the community. Had they been reformed, morally and physically, they might have been the parents of seven healthy children, who would have been a strength and a comfort to society. Now, the victims of an inherited appetite for alcohol were considerably more numerous than the fragmentary records of published statistics would lead them to suppose. Dr. Darwin, as quoted by Dr. Howe, said—

"It is remarkable that all the diseases from drinking spirituous or fermented liquors are liable to become hereditary, even to the third generation, gradually increasing, if the cause be continued, until the family becomes extinct."

Dr. Parrish remarked that—

"This appetite is often an inheritance with which its possessor would gladly part if he could. It constitutes an element in his temperature. It is a part of his constitution. He did not create it, he does not cherish it, nay, he abhors it; but it clings to him like the poison of other forms of disease."

Hence the assertion by so many eminent physicians in America and Great Britain of the crying need for such institutions. The author of the 18th Report of the Inebriates' Home maintained that such peculiar and special treatment was indispensable. He wrote—

"It has for a long time been a popular fallacy to suppose that social condition, comfortable surroundings, religious associations, educational facilities, and, last of all, marital obligations, have any perceptible influence in curbing the appetites of those constitutionally inclined to the excessive use of stimulants, or of those who have acquired this pernicious malady through habitual indulgence. Our experience is to the contrary. No matter what may be the conditions by which the inebriate is surrounded, we find that judicious hospital treatment, personal restraint, and a lengthened period of abstinence from strong drink are absolutely necessary to the complete recovery of will-power; and if an inebriate fall after such an experience, it is safe to say that he falls with his eyes wide open, though, as we have shown, the relapse is the exception and not the rule."

It afforded considerable hope of success, if such retreats were sufficiently numerous and judiciously conducted, that a very large proportion of the habitual inebriates would rejoice to be delivered from the terrible slavery under which they laboured. Nevertheless, though the largest proportion of the inmates of these institutions were there of their own free will, it was held by many most experienced gentlemen that, after the first admission, some power of detention was necessary in order to complete the cure of the more obstinate and capricious patients; and he bowed to their decision. He confessed, for his own part, that he preferred the purely voluntary system; the moral, self-restraining efforts made by the patients were the most effective and permanent form of cure. It was analogous in principle to the non-restraint system of our lunatic establishments; and many noble Lords, in visiting the great asylums, must have observed how occupation and liberty of action, so far as was compatible with safety to themselves and others, tended not only to the comfort, but to the ultimate restoration of the inmates. He had seen his position exemplified in an admirable establishment kept by a foreign lady on the other side of the Thames. There were some 60 or 70 women who were willingly undergoing the discipline of the place. Anyone could withdraw at any moment, and yet, during many years, not one had rebelled against the rules. One woman, while he was there, came in and stated to him that she had passed through the cure; that for many years she had never tasted a drop of spirit; and that she was enabled to obtain a comfortable livelihood. This was evidence as to what might be done under the voluntary system, and the lady superintendent assured him of her belief that had she power to control them it would destroy all her influence. And this was the view of the State Board of Health of Massachussetts, for they said in their Annual Report—

> "Unless a great determination to become temperate be made by the drunkard himself and the wisest course be pursued by the friends, such a person is doomed to spend a worse than useless life, disgraceful to himself and a source of endless sorrow to his friends."

With all that, however, he said that he bowed to the opinion of the learned men who gave such earnest and such scientific opinions. Now, to meet that want, the Bill before their Lordships contained certain provisions. There was a difficulty in the outset, and there was a difficulty still, to define with precision an "habitual drunkard." It had been much discussed; but most agreed that, on the whole, the present definition was the best. Nor was great accuracy necessary under the present Bill, the applicant for admission into these retreats being left to declare that he wished himself to come under the power of the Statute. Now, the main provisions were—first, that retreats might be opened either by private enterprize or public subscription, they were to be licensed by appointed authorities, and inspected by officers named for that purpose. On the introduction of the Bill this season into the House of Commons no period of limitation in time was imposed on private as compared with the public establishments. But an enactment was carried to the effect that the existence of the private retreats should be restricted to five years. This was all but a death-blow to the value and efficacy of the Bill. No medical men—to whose zeal, and science, and humanity, he must bear the strongest testimony—would quit their general practice and invest considerable sums of money in an undertaking that must terminate at the close of five years—it seemed to stop the career of the measure at its very outset. Nevertheless, he entreated the House to accept it, so virtually necessary was it that some experiment or other should be set on foot. The second provision was still more serious and cogent. The first Bill proposed to enact that the applicant for admission should go before one Justice of the Peace, who should attest the application to the superintendent of the retreat, having satisfied himself that the applicant was an habitual drunkard within the meaning of the Act, and that the applicant quite understood what he was about to do. This was a necessary caution—there were many influences from various motives to which persons of feeble minds or in ill-health might be subjected. But the Amendment insisted on by the Home Office carried protection to its utmost bounds. It demanded that two statutory declarations that the applicant was an habitual drunkard should be made by two persons, and then laid before two Justices of the Peace, who, as in the former case, would make the prescribed inquiries. It was not necessary to enlarge on these requirements. Their Lordships would see the trouble, the impediments, the anxiety it would stir up in the way of the applicant; and if this difficulty would be great in respect of men, what would it be in respect of young women, in whom sentiment and modesty were not altogether extinct? Again, notwithstanding the imperfections of the measure, and such obstructions thrown in the way, apparently insuperable, he urged as strongly as he could the adoption of the Bill, as simply tentative. The evil was a growing one in many respects; and in one well worthy of notice—in the growing deterioration of the liquor. The evidence to that effect was decided in the United States; and when he was in Ireland, two or three years ago, he inquired of many of the priests, whom he found remarkably intelligent and well acquainted with their people, whether drunkenness was on the increase. "Not numerically, perhaps," was the reply, "but the effects of it are far worse in the poisonous and maddening quality of the spirits they now drink." Such was the Bill, and as such he propounded it to their Lordships. The experiment might succeed, and then much would have been gained for posterity. It might fail; but then much would have been learned by the failure. At any rate, it was better to fail in a good effort than stand still in frigid wisdom and make no effort at all. He begged to move the second reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Earl of Shaftesbury.*)

LORD DENMAN said, that having, in 1860, opposed the Wine Licences Bills for England and Ireland with very small minorities, though his views were afterwards adopted by the Legislature, he might venture to make a few remarks. Where a man or woman were convicted before two Justices of drunkenness and rioting, he or she might be imprisoned for a month. In such cases he thought a man or woman, if placed before the Bench for the first time, might consider whether he or she would avoid the shame of imprisonment, and be glad if a very small fine were substituted for imprisonment, and the privilege be granted of going to a retreat, according to the provisions of this Bill. Again, many a poor man's home was broken up by the intemperate habits of his wife, who took her husband's earnings, or sold his furniture, to satisfy an unlimited passion for drink. From the state of the law, she could not be treated as a thief, nor those who received goods from her—at half their value—be deemed receivers of stolen goods in the eye of the law. He thought it would do much good if such a woman could be placed in a retreat and subjected to compulsory abstinence, if her relatives and neighbours—as was often the case—considered it the best thing that could be done for her and her husband and family, and it would be a very small infringement of liberty, as she had, morally, forfeited her liberty, much more than any common thief.

LORD STANLEY OF ALDERLEY did not object to the second reading of the Bill, but thought objections might be taken to many of the clauses. These objections were well embodied by the Committee of the Medico-Psychological Society, and were chiefly that it would give unusual facilities for illegal detention, and that the inspectors should be qualified medical men. They thought the term "habitual drunkard" should be drawn so as to exclude an insane person; that provision should be made for the quarterly inspection of the retreat, and each individual then seen and reported upon by a medical man. For his own part, he did not think that any expense for these establishments or for their inspection ought to fall upon either the rates or taxes.

EARL BEAUCHAMP said, that the noble Earl who had charge of the Bill had had, as Chief Commissioner in Lunacy, very great experience of the management of lunatic asylums, and was thereby enabled to speak with great authority on this subject. He (Earl Beauchamp) did not propose to touch upon the question of drunkenness in the abstract—the question was, what was the fittest way to deal with persons who were drunkards? The Bill, therefore, proceeded on the assumption that it was desirable, in certain circumstances, to impose limitations on the liberty of those who were described as "habitual drunkards." The reason alleged was, that the habitual drunkard had, by intemperate habits, brought himself to such a pass that though he was capable of being benefited by treatment of a certain description, that treatment could not be effectual unless it was continued for a certain time. That being the assumption on which the Bill was based, three questions presented themselves—how was the habitual drunkard to be admitted to the retreats which might be established—how was he to be treated when there—and how was he to be discharged? It was held to be necessary that, in order to obtain any good result, the patient should be retained in the retreat for a considerable time. The Bill, no doubt, as introduced in the House of Commons, was very imperfect in the safeguards which it provided for the liberty of the subject, for it was open to a person coming under the category of a habitual drunkard to go before one Justice of the Peace and declare in writing his desire of being admitted into a retreat, and in the result find that he had parted with his liberty for the period of a whole year. He did not think that a sufficient safeguard was secured by such a provision; but as the noble Earl had accepted the Amendments on that point introduced in the House of Commons, he would not enter further into the subject. The real utility of such a Bill depended on providing adequate regulations for its proper administration. The powers given by the measure were extensive and vague; the whole responsibility was put upon the Secretary of State, and if Parliament, in its wisdom, intrusted the Secretary of State with those powers, and if they were wisely used, much good might be done. But there were further safeguards provided. The Secretary of

State might appoint an Inspector and an Assistant Inspector of Retreats, who were to inspect every retreat twice a-year at least; and the Secretary of State might make rules and regulations from time to time, and a Judge of the High Court of Justice, or the County Court Judge, was empowered to make, on application, an order to inspect. Then there was a clause to the effect that anyone who contravened the rules for the management of a retreat would commit an offence against the Act, and would be liable to summary conviction and a fine not exceeding £20, or, at the discretion of the Court, to imprisonment for a period not exceeding three months, with or without hard labour. There was every guarantee that the rules to be framed by the Secretary of State would be adequate for their purpose; but in any case the matter would be reviewed by Parliament within a limited period. As to extending the provisions of the Bill, as suggested by his noble Friend, that would not be possible, or, if possible, its effect would be to destroy the nature of the retreats, which were to be founded on the assumption that the persons admitted were to be treated as subjects of disease, and not by way of punishment. If persons were to be put into the retreats by way of punishment, they must be maintained at the cost of the ratepayers; but this Bill would impose no burden upon the ratepayers of this country. Those who established those retreats for their private gain would pay substantial fees, which would very largely cover the expenses of inspection. It was not among the least advantages of the Bill that it did not impose taxation on the public. He thought, therefore, their Lordships would do wisely to accept the second reading, and see if something could not be done to remedy those great evils which it was the object of the measure to mitigate or relieve.

Lord SELBORNE said, that the Bill endeavoured to meet a very great evil which had long affected this country, and one which might very well have been dealt with many years ago. No doubt, it was wise, in dealing with a subject of this kind by means of new legislation, to do it with extraordinary caution. It seemed to him, however, to be the error of this Bill that its caution was rather extreme. In many foreign countries there was a law which enabled family councils to place the affairs of those who were not able to manage them properly under regulations. In this country there were a great many who answered the description of habitual drunkards, and who were not only dangerous to themselves and others, but also incapable of managing their affairs. If they looked upon this question from the point of view of principle merely, he could see no good reason why such persons, after a proper public investigation, should not be taken care of as much as lunatics themselves. Theirs was a state which to his mind did not differ much from lunacy, and was at least as dangerous to society. He doubted whether the Bill as at present circumscribed, and surrounded with so many precautions, would have as large an operation as might be desired. On the other hand, he knew what the course of legislation in this country usually was. If there existed a desire for legislation on any subject, a measure was introduced tentatively, and experience afterwards suggested means by which legislation in the same direction might be strengthened. Such, he hoped, would be the result of the present measure, and he should be glad if it did something towards mitigating a really great evil.

Lord ABERDARE said, he was in favour of the principle of the Bill, which, however, would require alterations in its details. No doubt, there were drunkards in every class of society, but by far the greater proportion of habitual drunkards was to be found in the lower classes; and these were precisely those which the provisions of this Bill would not reach, because those only could avail themselves of it were those who could afford the expense. He thought far larger powers were required to be given to the Inspectors, who were the real guardians of the unfortunate persons who might be detained in these retreats.

Lord FORBES said, two Bills lately introduced into their Lordships' House tended to alter the religious and social character of our people. One was the Bill for the opening of Museums on Sundays, and the other was the Bill for legalizing marriage with a deceased wife's sister. Those measures were of a very un-English character. He believed that the character of the English

Sunday was very different from the gloom of the Scotch Sunday, on the one hand, and the frivolity of the French Sunday, on the other. [" Question! "] Well, he had not had an opportunity of speaking the other day. He had been reading a pamphlet by Dr. Barnardo called "Day and Night." The noble Lord being again called to Order, concluded abruptly by saying he should support the second reading of the Bill, although he had not read it.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 8*th May*, 1879.

MINUTES.] — Public Bills—*Ordered—First Reading*—Hares (Ireland) * [165].

Second Reading—Local Government (Ireland) Provisional Orders (Waterford, &c.) * [133]; Gas and Water Provisional Orders Confirmation * [136]; Local Government Provisional Orders (Abergavenny Union, &c.) * [137]; Local Government Provisional Orders (Aysgarth Union, &c.) * [142].

Committee—Army Discipline and Regulation [88]—R.P.; Summary Jurisdiction (*re-comm.*) [138]—R.P.

Committee—Report—Statute Law Revision (Ireland) * [132].

Third Reading—Local Government Provisional Orders (Ashton under Lyne, &c.) * [127], and *passed;* Marriages Confirmation (Her Majesty's Ships) [149], *debate adjourned;* Convention (Ireland) Act Repeal (No. 2) * [116], and *passed.*

QUESTIONS.

CYPRUS—IMPORT DUTIES ON GRAIN. QUESTION.

Mr. POTTER asked Mr. Chancellor of the Exchequer, Whether the statement in the "Daily News" of the 5th of May is correct "that all import duties on grain have been temporarily suspended in Cyprus;" and, whether the Government is prepared to make this change permanent, so as to assimilate the fiscal policy of our dependency of Cyprus to that of the mother Country, and not to perpetuate in Cyprus the system of grain taxation now in force in Malta and Ceylon which tends to enhance the price of food in those islands?

The CHANCELLOR of the EXCHEQUER: Sir, the statement is perfectly correct. All import duties on grain have been temporarily suspended in Cyprus; but Her Majesty's Government have not at present any intention of making a permanent alteration in this matter.

ARMY—FIELD OFFICERS.—QUESTION.

Mr. DEASE asked the Secretary of State for War, Whether a Brevet Major quartered in Dublin, where he has to perform field officer's duties, is entitled to a free passage for his horse, if ordered with his regiment to Aldershot, where he would likewise have to do field officer's duty?

Colonel STANLEY: Yes, Sir; all officers performing mounted duty at one station, when ordered to another station, where they are also on duty, are allowed conveyances for their chargers.

INDIA (FINANCE &c.)—LOANS. QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, If he can explain why the Notification of the Government of India, dated 13th March, 1879, inviting tenders up to 12th May, 1879, for a Four-and-a-half per cent. loan of five crores of rupees payable at the Presidency Towns in India has not been advertised in London in accordance with previous practice; whether any measures have been or will be taken to invite and encourage contributions to that Loan in sums small or large at all Treasuries in India; and, whether Her Majesty's Government propose to make every effort to obtain that Loan in India notwithstanding their proposal to take power to raise a Loan of ten millions in this country?

Mr. E. STANHOPE: I find, on inquiry, that it is not customary to advertise in London a Notification of the Government of India announcing a Loan to be raised in India, unless that Government requests it. In this case it has not done so. Deposits can be made at any Government Treasury in India, and tenders may be for sums not less than 100 rupees. I can also assure the hon. Member that the Indian Government is making every effort to obtain in India as large a proportion of the loan as possible.

INDIA (FINANCE &c.)—SILVER—THE EXCHANGE.—QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether it would be advisable to purchase from Germany her surplus stock of silver, which is believed not to exceed fifteen millions sterling; whether the entire loss on such a transaction would exceed the annual loss on the home charges of the Government of India due to exchange; and, whether the removal of the surplus German silver from the market would so improve the market for bullion as to largely diminish the loss on exchange by the Indian Treasury?

MR. E. STANHOPE: The subject raised by this question is one of very great difficulty, and I hope the hon. Member will not think me wanting in courtesy if I say that it would be quite impossible for me to discuss it properly within the limits usually laid down in answering a Question. I can only say that we should be very glad to be able to state with accuracy what amount of surplus silver the German Government now holds, or is willing to dispose of. What the effect of such a purchase, if made, would be is a matter of speculation, upon which the most opposite opinions have been expressed.

COLONY OF VICTORIA—THE CONSTITUTIONAL CRISIS.—QUESTION.

MR. A. MILLS asked the Secretary of State for the Colonies, Whether his attention has been called to a paragraph in the "Daily News" of Monday last, purporting to give an abstract of a Despatch addressed to Lord Normanby on the subject of the Constitutional Crisis in the Colony of Victoria; whether that abstract is correct; and, whether it is intended to lay the Despatch alluded to upon the Table of the House?

SIR MICHAEL HICKS-BEACH: My attention has been called to the statement in question. The abstract is incorrect in several important particulars; and the despatch will be shortly laid on the Table, probably before it is received in Victoria.

SOUTH AFRICA—THE ZULU WAR.

QUESTION.

MR. RICHARD asked the Secretary of State for the Colonies, Whether there is any truth in the statement which appears in a communication from South Africa in the "Daily Telegraph" that

> "Some time ago a King's messenger was sent in with a letter and a flag of truce to Colonel Pearson, the man asking only for a guarantee of safety for other messengers who were following him, but Colonel Pearson, acting on general opinion, and especially the advice of a missionary, put the messenger in irons as a spy?"

SIR MICHAEL HICKS-BEACH: Mr. Speaker, I have heard nothing of this matter, except from the statement which appears in the Press; and I may say that I do not credit that statement.

SOUTH AFRICA—SIR BARTLE FRERE —THE QUEEN'S LETTER.

QUESTION.

DR. KENEALY asked the Secretary of State for the Colonies, Whether his attention has been directed to the following paragraph which appears in the "Daily News" of Friday May 2.

> "The 'Cape Argus' says, 'The Queen has written an autograph letter to Lady Frere expressing Her Majesty's sympathy with her and Her Majesty's confidence in Sir Bartle Frere;'"

whether Her Majesty's Ministers have any knowledge of this letter, or, if not, whether they will inquire into it and inform Parliament thereof, as involving a grave constitutional question; whether it was forwarded, after its contents were known, through the Colonial Office; and, whether the despatch of such a communication addressed practically to an officer responsible to Parliament is in accordance with the laws, customs, and constitution of England?

SIR MICHAEL HICKS-BEACH: Mr. Speaker, my attention has been directed to the paragraph quoted by the hon. Member, and I have already stated that I have no information with regard to it which I can communicate to the House, nor do I deem it to be my duty to take any steps in the matter. If any such letter has been written—of which I have no knowledge—the interpretation I should place upon it would be that Her Majesty, at a time of deep anxiety and trouble to Lady Frere, had exercised her right of expressing her sympathy with her subjects.

SOUTH AFRICA—THE ZULU WAR—LOSS OF THE "CLYDE."

QUESTION.

Mr. DILLWYN asked the Secretary of State for War, in reference to the following statement made by H.R.H. the Field Marshal Commanding in Chief on Saturday the 3rd inst. (reported in the "Times" of the 5th),

> "Such was the admirable discipline and devotion evinced by the young soldiers commanded by officers of the Guards that the result was . . . that every man was landed and even the horses were swum ashore without a single accident of any description;"

if he will state the number of officers of the draft; how many were officers of the Line; and, whether it is not a fact that the two officers next in seniority to the Colonel were officers of the Line?

Colonel STANLEY: Mr. Speaker, I am informed that His Royal Highness's remarks were incorrectly reported. What His Royal Highness did say was that—

> "There were among the officers on board some belonging to the Guards, and that great praise was due to the commanding officer, who was a Guards officer."

Private letters bear that out; and I do not think it occurs to anyone to draw a contrast between the officers of the Guards and the Line.

EAST INDIA — (DUTIES ON COTTON GOODS).—QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, If he will be so good as to state in what form the approval of the Secretary of State to Lord Lytton's remitting certain of the Indian Cotton Duties was communicated to him before the measure was carried into effect; and, if there is any record of that approval?

Mr. E. STANHOPE: Sir, the form adopted in this case was that of a confidential telegram.

ARMY DISCIPLINE AND REGULATION BILL — MILITARY COURTS OF INQUIRY.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether he will be able to lay upon the Table of the House, at an early date, the Rules promised by him and by the Home Secretary on Thursday last, which are intended to restrict for the future the use of Courts of Inquiry, and to prevent their being employed for the investigation of Military offences properly triable by Courts Martial; and whether he can do so conveniently before the discussion on the Army Discipline and Regulation Bill terminates?

Colonel STANLEY, in reply, said, he would lay the substance of the Rules upon the Table of the House before the debate on the Army Discipline and Regulation Bill closed.

PARLIAMENT—PRIVILEGE—COLONIAL AGENTS GENERAL.—QUESTION.

Sir JOSEPH M'KENNA asked Mr. Chancellor of the Exchequer, If he has seen the statements in the morning papers to the effect that an honourable Member of this House has undertaken the duties of Agent General of one of Her Majesty's Colonies without salary; whether he will consider the expediency of making the Law clear on the subject if any doubt exists; and, whether such an office may be held by a Member of this House with the usual salary?

The CHANCELLOR of the EXCHEQUER: I have seen the statement to which the hon. Gentleman refers, and I presume that he will not expect me to give an opinion upon the last of the Questions which he puts to me, and which is rather of a legal character. I am not aware that the Government, at present, has any intention of proposing any legislation upon this subject. If the question were to be undertaken, it would be in the direction of making an alteration in the Statute of Anne; but I will confer with my hon. and learned Friend the Attorney General, and with my Colleagues, on the subject, which is, of course, an important one.

CYPRUS—CONDITION OF THE POPULATION.—QUESTION.

Sir CHARLES W. DILKE asked the Under Secretary of State for Foreign

Affairs, Whether Sir Garnet Wolseley has sent home a memorandum, signed by the Archbishop and Bishop of Cyprus, describing the condition of the island, and the grievances of the Greek population; and, if so, whether it will be included in the Papers about to be published?

Mr. BOURKE: I know of no Memorandum which at all answers the description given in the hon. Baronet's Question. An unsigned and undated Memorandum handed to Sir Garnet Wolseley by the Bishop of Citium, making certain complaints against the Government respecting the administration of Cyprus, will be included in the Papers about to be presented; but I do not know that it is the one to which the hon. Member refers.

Sir CHARLES W. DILKE: I cannot state whether that is the one I want or not. The one I mean is one that was agreed to at a meeting.

Mr. BOURKE: There is nothing to show that on the one we have.

SOUTH AFRICA—THE ARMY MEDICAL DEPARTMENT.

OBSERVATIONS. QUESTION.

Dr. WARD: Sir, there is a Question in my name on the Paper with reference to the claims of Army medical officers to distinctions. I think it but right, in order that the House may understand the Question, to state that in the present campaign in South Africa, out of a small contingent of medical officers five have been killed, many of them wounded, and several of the remainder have taken part very gallantly in some of the most trying engagements, especially in the defence of Rorke's Drift, and no mention has been made of their services in Despatches, in General Orders, or in *The Gazette*. I beg to ask the Secretary of State for War, Whether any recognition has been or is to be made of the service and sacrifices of the members of the Army Medical Department engaged in the campaign in South Africa?

Colonel STANLEY: Sir, in answer to the Question of the hon. Member, I have to say that I think it is premature to consider what rewards or honours should be given in regard to the present campaign; and this applies to the Army Medical Department, as well as to the combatant branches of the Service. There is an exception to this in respect to the defence of Rorke's Drift. In that case, Surgeon Reynolds was promoted to be Surgeon Major; but his promotion, like that of Lieutenants Chard and Bromhead, was a special one.

PARLIAMENT—THE VACANT SEATS.

QUESTIONS.

Mr. RYLANDS asked Mr. Chancellor of the Exchequer, Whether, having regard to the statement which he made on March 18th as to the intention of the Government with reference to the six vacant seats, and to the consequent excitement occasioned in many populous localities, he is now able to inform the House if the Government intend to introduce a measure to provide for the filling up of these vacancies during the present Session of Parliament?

The CHANCELLOR of the EXCHEQUER: With reference to the statement made by me on March 18, I think it was to the effect that the Government would propose some measure for filling up those vacant seats before the Dissolution of the present Parliament; but I added that I was of opinion that there was no immediate hurry. I cannot at present see that there is much probability of such a measure being introduced during the present Session.

Mr. HIBBERT: I should like to ask the right hon. Gentleman, as many of the towns anxious to obtain Parliamentary representation have increased in population since the Census of 1871, whether it would not be desirable to bring in a short Bill empowering any of those towns to obtain an additional Census at their own expense, if they desire to do so?

The CHANCELLOR of the EXCHEQUER: Perhaps the hon. Gentleman will give Notice of his Question.

SOUTH AFRICA—REINFORCEMENTS FOR THE CAPE.—QUESTION.

Sir TREVOR LAWRENCE: I wish to ask the Secretary of State for War a Question, of which I have given him private Notice, Whether the Government have received any information to corroborate the alarming telegram which has appeared in the "Daily News" of this day concerning the safety of Natal; and, whether it is true that reinforcements have been sent to the extent named, or to any smaller amount, on the application of either the Lord High Commissioner or of Lord Chelmsford?

Colonel STANLEY: In answer to the Question of the hon. Baronet, I have to say that we have not received any information which corroborates the telegram in *The Daily News* of this date, as to the safety of Natal. A telegram was received by me on Tuesday night from Lord Chelmsford, stating that the garrisons of Natal and the Transvaal might require reinforcements, and that three battalions would be wanted. He also asked for stores—apparently to replace those lost in the *Clyde.* Steps have long ago been taken to replace those supplies; and the information contained in the telegram is considered to be so imperfect that we have decided not to take any action, beyond getting stores in readiness, until we receive the despatches covering the telegram.

SOUTH AFRICA—THE GALEKA AND GAIKA WARS—PRISONERS OF WAR.

QUESTION.

Mr. O'DONNELL asked the Secretary of State for the Colonies, If he will lay upon the Table of the House a Return of the number of captured Native women and children in South Africa indentured out to the colonial farmers, or otherwise assigned in servitude, since the outbreak of the late Galeka and Gaika wars; and, if he can state whether it is true that several thousands of prisoners of war, the followers and tribesmen of Galeka, Gaika, and other chiefs, are retained in penal servitude at Cape Town and other places, and are daily employed as hard labour convicts upon the public works?

Sir MICHAEL HICKS-BEACH: I have already communicated to the House, in the Blue Books relating to Cape affairs, all the information that has reached us with respect to the number of captured Native women and children indentured to the Colonial farmers; and any further information on the subject will be published in the same way. I am not at all aware that it is true that several thousands of prisoners of war are employed as hard-labour convicts at Cape Town and other places, but I have directed inquiry to be made on the subject.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1878—AMERICAN PIGS.

QUESTION.

Colonel KING-HARMAN asked the Vice President of the Council, Whether he is aware that the disease known as trichina spiralis is reported to be extremely prevalent among the American pigs, large numbers of which are now being imported into this country; whether he has heard that, in a recent consignment delivered at Wolverhampton, sixteen out of three hundred pigs were found dead in the trucks, while four more dropped dead immediately afterwards, and that the whole of these twenty were found to be full of the trichina worm; and, whether he will take measures to prevent the horrible malady of trichinosis being disseminated by the free importation of such diseased animals?

Lord GEORGE HAMILTON: The Government have not received any information of swine affected with trichinosis having been landed in this country from the United States; but a cargo of swine, among which the disease known as typhoid fever existed, was landed at Hull on April 25, and were permitted by the Inspector of the Privy Council to be removed from the landing-place. Some of the swine were seized by the sanitary authorities in Hull, and a large number were sent on to Birmingham, the authorities of which town had been informed by the Hull local authority of the destination of the animals. The Inspector at Birmingham reports that all the swine have been slaughtered. The Inspector who examined the animals on landing has been dismissed. Owing to the prevalence of typhoid fever among swine in the United States, and the number of diseased cargoes arriving here, by an Order in Council, American swine must be slaughtered at the port of debarkation.

THE AUSTRALIAN COLONIES—MARITIME AND LAND DEFENCES.

QUESTION.

Colonel ARBUTHNOT asked the Secretary of State for the Colonies, Whether he has any objection to lay upon the Table Copies of such Reports (and Correspondence incidental thereto) relative to the maritime and land defences of the Australian Colonies, as have already been presented to the Colonial Parliaments, and published in their Sessional Papers?

Sir MICHAEL HICKS-BEACH: The hon. and gallant Member can obtain in the Library of this House, if he desires to peruse them, such of these Reports as have been presented to the Colonial Parliaments and published in their Sessional Papers; but I think there are serious objections to their further publication, for reasons of which I have already informed him.

DOMINION OF CANADA—LIEUTENANT GOVERNOR LETELLIER DE ST. JUST.

QUESTION.

Mr. E. JENKINS asked the Secretary of State for the Colonies, Whether the Government have received any despatches from the Governor General of Canada relating to the case of Mr. Letellier de St. Just, the Governor of Quebec; whether the Government have come to any decision in the case; and, if so, whether the decision will be communicated to Parliament?

Sir MICHAEL HICKS-BEACH: Yes, Sir, despatches have been received on the subject, and it is now under the consideration of Her Majesty's Government. When a decision has been arrived at, and has been communicated to the Governor General of Canada, it will be laid before Parliament.

PARLIAMENT—BUSINESS OF THE HOUSE.—OBSERVATIONS.

The CHANCELLOR of the EXCHEQUER, in answer to Questions as to the order in which Bills would be taken, said, his right hon. Friend the President of the Local Government Board was very far from well, although better than he was the other day; therefore, he could not say on what day the Valuation of Property Bill would be proceeded with. He was afraid that the voice of his right hon. and gallant Friend near him (Colonel Stanley) was in such a state that it would not be fair to tax his powers the whole of the evening. He proposed, therefore, that at 10 o'clock they should take the Bankruptcy Bill With regard to the Summary Jurisdiction Bill, the Government would be guided by circumstances.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[Bill 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr William Henry Smith, The Judge Advocate General.*)

COMMITTEE. [*Progress 1st May.*]

Bill *considered* in Committee.

(In the Committee.)

Mutiny and Insubordination.

Clause 10 (Insubordination).

Mr. J. BROWN moved, in page 5, to leave out line 15. The words proposed to be omitted were those which made breaking out of barracks, camp, or quarters, an offence for which not only the rank and file, but also officers would be punishable. This was the first time he had ever heard of such an offence on the part of an officer. This offence should come under miscellaneous offences, and should be more defined. This line was too vague in its meaning.

Colonel STANLEY said, he was not in a position to concur in the Amendment of the hon. Gentleman; and he pointed out that the breaking of barracks had always been called a military offence.

Major NOLAN asked whether the Committee was disposed to enact what would really be a new offence, so far as the officers of the Army were concerned? He felt quite certain that many officers would not have entered the Army if they had thought that such a provision would become a part of the military law. He wished to know whether it was intended that the offence of breaking out of barracks and the penalty named in the clause were to be applied to officers?

Sir ALEXANDER GORDON said, he wished to put the same question to the right hon. and gallant Gentleman the Secretary of State for War. He also wished to draw the attention of the Committee to the nature of the Bill, which was supposed to be merely a consolidation of the old Act of Parliament; but which, among other things, proposed to class soldiers and officers together for punishment by imprisonment, just as if they were to be regarded as on the same footing. Such a thing as the imprisonment of an officer for a military offence had never been heard of before.

Officers were cashiered if they were found guilty of any offence against the military law, and not imprisoned. The only case in which an officer could be subjected to imprisonment was where he was convicted of felony; but that was a matter for a civil tribunal. An officer was not regarded as in the same position as a private soldier; and he certainly could not understand what was meant by an officer breaking out of barracks.

COLONEL MURE said, hon. Gentlemen seemed inclined to object to changes in the Bill, because they were not in the old Act and Articles of War; but he would point out that in Committee of the Whole House they had to look at each clause, and see whether they considered it likely to be useful. But he should like to ask the Judge Advocate General and the military authorities in that House, whether, when a regiment was ordered to be confined to barracks for some specific purpose, at a time of apprehended disturbance, an officer going out of barracks without leave would be considered as breaking out of barracks, and would put himself within the penal operation of this clause? He hoped the Committee would realize the fact that this liability—if it were applicable to officers—to punishment for an offence which had never in their case been known before, was a distinct innovation, and a very serious one.

MR. E. JENKINS said, he could not sympathize with the hon. and gallant Member (Sir Alexander Gordon). He thought that it would be satisfactory to the Army to feel that soldiers and officers were put upon the same footing with regard to the liability to punishment for specific offences; besides, if it were true that an officer could not break out of barracks, the clause could not apply to him. The clause included four distinct offences, and an officer might be guilty of the first, second, and third; but if he could not be guilty of the fourth, he would be exempt from the operation of the clause.

MR. CAVENDISH BENTINCK said, the liability of an officer would depend on the orders given to him. If he disobeyed orders, he would be liable. These penalties had been inserted at his request, because the offence of breaking out of barracks had become so common that it was considered expedient to make it a specific offence.

GENERAL SIR GEORGE BALFOUR regretted to find in the Bill the definition of a new crime on the part of an officer. It was well known that if an officer disobeyed his orders to remain in his quarters or barracks, he could be then brought before a court martial, and was liable to be cashiered; but the idea of an officer breaking out of barracks had never been heard of before. He thought that without any information being furnished to the Committee as to what cases had occurred to render such a clause necessary, they had a right to complain of the introduction of that part of the clause which was under consideration. He appealed to every hon. Member of that House, who had been in the Army, as to whether they ought, by the insertion of the 4th sub-section of this clause, to make an offence of that which no officer had ever been considered to be capable of committing before? He trusted that the opinion of the Committee would be taken as to whether such an innovation should be permitted.

SIR ALEXANDER GORDON wished to say a word or two in consequence of what had fallen from the hon. Member for Dundee (Mr. E. Jenkins), who did not sympathize with him (Sir Alexander Gordon). It was very likely that the hon. Gentleman did not sympathize with him, inasmuch as he did not know the feelings of the officers of the Army. It was necessary, for disciplinary purposes, to confine soldiers to barracks after a certain hour; but no such restriction was ever imposed on the officers, unless circumstances occurred which led to an order of the commanding officer that the officers should remain in barracks; and in that case, if an officer disobeyed orders, he would be liable, under the Articles of War, to be tried for disobedience.

COLONEL ALEXANDER hoped the line objected to would be modified. The proposal to subject officers to imprisonment had never been heard of during the time he had been connected with the Army. Later on, he should have to deal with cases of imprisonment.

MR. CAMPBELL-BANNERMAN thought there had been a little misapprehension as to this clause. It said—

> "Every person subject to military law who commits any of the following offences . . . shall on conviction by court martial be liable,

if an officer, to be cashiered, or to suffer such less punishment as is in this Act mentioned."

An officer could not suffer imprisonment, because it was not within the term "such less punishment" as mentioned in the clause. In Clause 44 there was a scale of punishments applicable to officers and men, and in that applicable to officers they had—first, death; second, penal servitude; third, imprisonment; fourth, cashiering; fifth, dismissal; sixth, forfeiture; and seventh, reprimand. This was the order of the gravity of the punishments to be awarded; but, in the present clause, it said an officer should be liable to be cashiered, or to suffer any less punishment that might be inflicted; therefore, it was impossible he could suffer imprisonment or any greater punishment. He should like to ask what was the meaning which the Government attached to Sub-section 4—"Breaks out of barracks, camp, or quarters?" This was an offence dealt with under the 105th Article, known as "the Devil's Article;" and he thought it desirable to bring all the miscellaneous offences, as much as possible, into one explicit enactment. There was, first, the breaking out of barracks after tattoo, and then there was breaking out of barracks after orders that the men should be confined thereto. Now, these were two very different offences. Breaking out after tattoo might be a mere freak or a "lark," and, therefore, a matter of very little gravity; but breaking out of barracks when ordered to be confined thereto was a very serious thing, and he wished to know whether any distinction was to be drawn between these two cases, and whether it would not be better to draw such distinction formally, in order to assist the officers who would have to draw up the charges against offenders? As to any officer being imprisoned under the operation of the clause, he thought that that was impossible.

Colonel MURE said, he did not think there was anything to be apprehended in the nature of imprisonment; the point was, whether a new offence was to be made of breaking barracks on the part of an officer? As the clause stood, it introduced what was in reality a new punishment. He regarded it as an absolute insult to the officers of the Army. He hoped his right hon. and gallant Friend (Colonel Stanley) would give way. It should be remembered that this was a Bill for all time to come; it was intended to create a model law for the regulation of the Army; and, consequently, the Committee ought to be most particular in the consideration of every clause, especially when it was proposed to award punishment for things that had never been regarded as offences before.

Colonel ARBUTHNOT said, he noticed that in Clause 44 imprisonment was mentioned as coming before cashiering, and the imprisonment was regarded as the more serious punishment of the two; but he had always understood that no officer could be imprisoned until he had been cashiered. He thought, therefore, that the Committee should bear this in mind in considering the point under discussion. It seemed to him, however, that line 15 was not the point that had been elicited by the conversation that had gone on—the whole question was really whether an officer should be subject to punishment for breaking out of barracks? The fact was, that the line only applied to offences which officers did not commit; and it did not seem to him to be of much importance whether it remained in the clause or was cut out. For his own part, he should be prepared to support whatever judgment the right hon. and gallant Gentleman the Secretary of State for War and his advisers might come to, after hearing the opinions expressed by the Committee.

Sir HENRY HAVELOCK agreed with those who had pointed out that there was not such a crime on the part of an officer as breaking out of barracks. If it should so happen that an officer, as one of the whole military body who were under the obligation, for military reasons, to remain in barracks, should disobey the order given, then it would become a totally different matter. He was of opinion that Sub-section 4 had evidently been introduced under some misapprehension; therefore, without asking the Secretary of State for War to concede any principle, or make any change in the clause, he merely put himself in the position of one who drew attention to an inaccuracy that had crept in by mistake, seeing that they could not charge an officer with a crime which it was not possible for him to commit.

He thought that the crimes commitable by officers should be brought within one clause.

COLONEL ALEXANDER said, the hon. Gentleman the Member for Stirling (Mr. Campbell-Bannerman) seemed to think that there was a difference in gravity between the crimes of breaking out of barracks after tattoo, and breaking out of barracks after being ordered to be confined therein. But the fact was, that no distinction was ever drawn in the Army between the two offences. The hon. Gentleman had spoken of breaking out of barracks after tattoo as a mere freak; but it was, in reality, a very dangerous freak, and one that might lead to considerable inconvenience; because, under ordinary circumstances, there were only the ordinary number of sentries; but if there were many cases of breaking out of barracks by getting over the wall the sentries had to be strengthened, and this threw extra duty on the comrades of the men who committed the offence. When the men were in the habit of breaking barracks, this plan of increasing the sentries was the best that could be adopted, for the men did not like it at all; and the imposition of the extra duty often had the effect of stopping the practice, which was mostly prevalent between the tattoo and the *reveillé*.

MR. CAMPBELL-BANNERMAN said, he had merely pointed out that breaking out of barracks after tattoo, and breaking out of barracks when ordered to be confined there, were dealt with under the Articles of War as two distinct offences.

COLONEL ALEXANDER said, it was merely a different form of charge; one offence might happen in the day, and the other might happen at night, between the tattoo and the *reveillé*.

SIR ALEXANDER GORDON said, an officer who broke out of barracks was to be rendered liable to punishment just the same as a soldier under this clause. He wished to remind the Committee that he had drawn attention to the general way in which imprisonment was to be made the punishment of the officer as well as of the soldier. He should like to ask the Secretary of State for War, was an officer to remain in the Army after he had suffered imprisonment? Was it intended that he should come out of prison and go back to his duty? The custom hitherto had been that an officer who had been sent to prison by the civil power had afterwards to leave the Army.

COLONEL STANLEY said, if the hon. and gallant Member would look at Clause 44, page 19, he would find that under Sub-sections 2 and 3—

> "An officer shall be sentenced to be cashiered before he is sentenced to penal servitude or imprisonment," and "an officer when cashiered shall be incapable of again serving Her Majesty in any capacity, military or civil."

With regard to what had been said about Sub-section 4 of this clause, he doubted very much whether it would apply to an officer, so far as the breaking out of barracks was concerned; but punishment would attach to disobedience of orders; and he did not suppose that anyone would contend that an officer should escape punishment if he refused to obey orders. It might be that the clause might be better worded; and if, on consideration, he found that it could be, he would bring up the altered wording on the Report. He wished to have the Bill as well worded as possible; and had no objection to accept Amendments that would contribute towards this object, and that would otherwise improve the measure, provided they did not interfere with its principle.

COLONEL JERVIS wished to know whether in the clause the word "officer" included non-commissioned officer?

COLONEL STANLEY: No.

MR. A. H. BROWN said, that Clause 180, page 104, in its definition of the word officer, included—

> "A person, whether retired or not, who, by virtue of his commission or otherwise, is legally entitled to the style and rank of an officer of Her Majesty's said Forces, or of any arm, branch, or part thereof."

Therefore, he understood that it was competent to the commanding officer to give an order to a retired officer not to break out of barracks. This, at least, would be the effect of the clause.

MAJOR NOLAN thought that the offence of breaking out of barracks was a serious one. All over the rest of Europe soldiers were more strictly confined to barracks than was the case in this country; and he believed that the portion of the clause by which officers were included in the question of breaking out of barracks had got into the Bill because the Judge Advocate General, and those in his Office, had a wish to make the Bill symmetrical. The Judge Advocate General wished to have the sub-section left in, because he desired to have the same law for the soldier as for the officer; but this, in many instances, was absolutely impossible. He was as anxious as any hon. Member of that House that the soldier should be fairly treated; and he had an Amendment on the Paper that went in this direction. The strongest argument against the sub-section under consideration was that any commanding officer could, if it were made a part of the Act, make a new crime on the part of the officers under his command. By this clause they might be introducing a great deal of trouble, both for the commanding officer and for the officers themselves. It was one of the inconveniences of this new clause, not merely that the commanding officer might be a tyrant and have very strong notions on particular points, but that anyone else would be able to set the machinery of the clause in motion. Any person might say he did not like to see officers about at 12 o'clock at night, and ask why they were not confined to barracks, when there was a clause in the Act which made it a crime for them to be out after a certain hour. That might be said at any moment, and might put the commanding officer in a very unpleasant position; and it would be very inconvenient to the officers if they were not allowed to be out of their quarters after 10 or 11 o'clock. If it was not intended that the rule should be enforced, it was surely very absurd to put it in the Bill, and it might be found highly inconvenient at many stations. Supposing a commanding officer were to put it in force on a foreign station, it would cause a great deal of trouble before it could be brought under the notice of the Commander-in-Chief; and even then he did not see how the Commander-in-Chief was to interfere. If the clause were inserted, he did not see how the Commander-in-Chief was to say they were to treat it as a nullity. He thought it would be much better if the clause were left out altogether, and if the Secretary of State for War were to bring up a new clause relating only to breaking out of barracks, and confined to non-commissioned officers and men.

Colonel STANLEY said, he thought he could save the time of the Committee by at once proposing to put in two or three words, by which the clause would be brought into harmony with the rest of the Bill. He quite admitted that soldiers did break out of barracks, and officers did not. The first part only of the clause applied to officers, and not the latter part; and if the words were inserted, "being a soldier," he thought they would meet the difficulty.

Sir HENRY JAMES wished to ask his hon. and learned Friend the Judge Advocate General what penalty would fall upon non-commissioned officers under any of these four sub-sections; because, although anyone being an officer, and anyone being a soldier, might suffer certain punishment, no mention was made of anyone being a non-commissioned officer. Under these clauses, it appeared to him that a non-commissioned officer could commit any of these offences, and have no punishment at all.

Mr. CAVENDISH BENTINCK replied, that the 173rd section and the 180th section should be taken together. However, no doubt, the matter required to be made more clear, and that would have to be done. He would also refer the hon. and learned Gentleman to the 101st section.

Sir HENRY HAVELOCK said, he was bound to say that, if that was the explanation of the section, it was the most clumsy and roundabout thing he ever heard. He objected to having to go through the whole Act to find the meaning of a particular clause; and the difficulty which had been pointed out occurred in 50 places.

Colonel NORTH inquired what was the meaning and object of putting in the words "being of inferior rank?" No matter what rank the officer held, he ought to have the power of confining the man who had broken out of barracks. He thought it would be much better, if the words "non-commissioned officer" were inserted in the clause.

Mr. CAMPBELL-BANNERMAN thought the consequences which had arisen from the absence of "non-commissioned officers" from this clause not only extended to those who had to be punished, but also to those in authority, whose power it was intended to protect. He presumed that a non-commissioned officer could put a man under arrest, and he ought to be covered by the same protection as an officer in the execution of his duty. That showed that a great deal depended upon the 180th clause, in which they defined the terms of the Bill. He agreed entirely with his hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon) in thinking that they ought to go into the matter of the definitions, and limitations, before they proceeded to any other part of the Bill; but, on the other hand, there might be this advantage—that they could make the definitions fit in with what they had done in the way of altering the Bill. It must be borne in mind that in such a case as the one now before the Committee, the non-commissioned officer was entirely left out in the cold, not only as to his liabilities, but also as to the support which his authority was to receive.

COLONEL JERVIS suggested that the words "being of inferior rank" should be omitted, and other words inserted. Otherwise, the non-commissioned officer in charge of a patrol might meet a man in the street, and would not have power to order him back to barracks, but would have to send for an officer to do it.

MR. E. JENKINS said, it would save the time of the Committee if the Secretary of State for War would withdraw the clause for the present, and re-cast it. The clause followed the one before it, almost in terms. It was true, the word "other" had been left out; but it was also clear that the non-commissioned officer had not been provided for at all. Just now, in reply to a question, the Secretary of State for War replied that it was not intended that a non-commissioned officer should order an officer into arrest; but it would be seen that if that was so, and if the law did not give that power to the non-commissioned officer, it gave him no power at all. The whole difficulty had arisen out of muddling up officers and soldiers together; and, no doubt, if the clause were withdrawn, it might be re-cast in a satisfactory shape.

SIR WALTER B. BARTTELOT wished to ask his right hon. and gallant Friend if he would not take time to consider this clause? The real fact was that this clause would be more or less a definition of many other parts of the Bill. It was clear that "non-commissioned officer" ought to be distinctly stated in the clause, but the words were not mentioned at all; and he was one of those who were anxious to have things called by their right names, so that they might know what they were about. He did not think the Committee would be able to properly amend the clause at this moment, and he hoped the right hon. and gallant Gentleman would withdraw it for re-consideration.

COLONEL MURE reminded the Committee that this discussion was a most serious one. Looking through the Bill, he found that in almost all the clauses which the Committee had gone through the point had escaped notice, and non-commissioned officers were left out. In different clauses he found varying definitions of the term "soldier;" but non-commissioned officers were only referred to in a definition which included warrant officers and schoolmasters. That was neither here nor there, because it was only extending the application of the definition without describing it. A soldier was described as—

> "Any person belonging to Her Majesty's Active Reserve, or Artillery Forces, and who may be for the time being subject to military authority, and is not an officer or non-commissioned officer."

So that, practically, in this Bill, a "non-commissioned officer" was excluded from every part of it. He thought the matter was so serious that they really ought to defer the Bill. It was a fatal flaw on the whole of the measure. He saw the Secretary to the Admiralty smile at that observation; but, surely, if the hon. Gentleman were to bring in a Mutiny Bill for the Navy, and were to find that warrant officers and petty officers were excluded from its provisions, he would be ready to admit that it was a fatal flaw. He granted that this was not an error of intention, but only of wording; but the fact remained that non-commissioned officers were entirely excluded, so far as the penal clauses were concerned.

MR. MARTEN thought the 173rd clause supplied an exact answer to the objection which had been raised. It said—

> "This Act shall apply to a non-commissioned officer, in the same manner in all respects as if he were a soldier, subject to the following provisions."

Consequently, it would be seen that the case of the non-commissioned officer was entirely provided for. He quite agreed that the 173rd clause did not apply to the point which had been raised on Clause 10, Sub-section 1; but that was a matter which the right hon. and gallant Gentleman would be able to consider on Report, and the clause was not at present before the Committee.

Colonel STANLEY said, that, so far as he could make himself clear to the Committee, it seemed to him that although there was not the simplicity in the wording which might be attained by bringing the words "non-commissioned officer" into the clause, the principle was extremely simple. The 173rd clause said this Act should apply to non-commissioned officers as well as to officers and soldiers. The 180th clause showed that for certain purposes a non-commissioned officer came under the same definition as a soldier, except where he was otherwise defined; and with regard to a soldier, it further went on to say that the expression "superior officers," in relation to a soldier, included a non-commissioned officer. When he asked the Committee to leave the definitions to the end of the Bill, he did so precisely because he felt that the clauses might require some alteration, and if the definitions were taken at the beginning, it would then be necessary to alter the whole contents of the Bill. For that reason, he ventured to think that the Committee should first go through the Bill; and by the time they came to the Definition Clauses, he would take care to inform himself as to the validity of the criticisms which had been offered, and would be able to amend the clause now in question as might be thought advisable.

Mr. HERSCHELL thought it was possible the 173rd clause might have the effect suggested, but was not altogether sure of it. Certainly, a more objectionable draft of a Code, which was to be worked by military men, he could not conceive. One clause upset the wording of another. He thought the most rational plan would be to make the word "soldier" include the non-commissioned officer, as a rule, and to except him where they intended to do so. If that were agreed to, they could deal with the Bill accordingly; but it was very difficult to go on putting down Amendments until they had come to some conclusion on the point. They could not very well go on as at present, leaving in limbo the decision of what the definition of a soldier should be.

Colonel ALEXANDER suggested that they might get out of the difficulty by adhering to the wording of the present Articles of War—"every officer or soldier shall, if an officer," or "if a non-commissioned officer or soldier."

Mr. CAMPBELL-BANNERMAN was afraid that including the non-commissioned officer in the definition "a soldier" would not meet the difficulty; because they would require another definition that the word "officer" should also include the non-commissioned officer. It was a substantial point which had been raised, and no mere alteration of the definitions would cover it.

Major NOLAN pointed out that it would be possible to regulate this matter in many other clauses dealing with the question. This clause was put in 24 or 25 years ago, and it was against the whole spirit of the law. It was a mere exception to the general law to give an inferior officer power to put a superior officer under arrest; and they ought to be very careful how they extended this power. They already, in fact, gave to the last-made corporal or bombadier, who might be totally unfit to judge, a power which was exceedingly difficult to exercise. For his part, he would not give this power to an acting corporal or bombadier; and he would only put it in the Bill as an exception. It was altogether against the general spirit of military discipline. This might be necessary, but they should look at it very jealously.

Colonel JERVIS said, only the other day, some soldiers got into trouble with the police; there was a row, the men were shut up, and a non-commissioned officer came and at once ordered the men off to barracks under arrest. Under that clause, he would be obliged to send for his officer. But at a country station he might be away at dinner, and the men would all escape. This was not merely an affray, it was a case of striking any person. Scarcely a week passed that there was not a skirmish between the police and the soldiers, which was all good-tempered enough, and the officer came with the picket and took them all away. But, under this clause, the officer was perfectly powerless; and, until this was rectified, the clause would be of no use. He hoped his right hon. and gallant Friend would put the clause on one side, and discuss this question about officers breaking out of barracks. Did they want to keep officers of 30 or 40 in barracks by boys? Were they going to allow their fathers and grandfathers to be kept in barracks by boys? He trusted the clause would be put on one side.

GENERAL SIR GEORGE BALFOUR remarked, that there was an omission and a contradiction which the right hon. and gallant Gentleman did not seem to understand. He had admitted that under Clause 10 non-commissioned officers might be imprisoned in the same manner as a soldier, because, under Clause 173, this Act was made to apply to a non-commissioned officer in all respects, as if he were a soldier, and under this interpretation, soldier meant non-commissioned officers. He disputed that reading, because the 180th clause contradicted that, and kept non-commissioned officers separate from soldiers, as the right hon. and gallant Gentleman might have omitted to notice. Before a military man, being a non-commissioned officer, could be imprisoned he must be reduced to the ranks; but under Clause 10, being a soldier, he could be imprisoned, which was a contradiction to Clause 173, which said that a non-commissioned officer before being imprisoned must be reduced to the ranks first. There was thus a fatal contradiction between the punishment to be awarded under the 10th section, and the double punishment to be inflicted under 173. Of course, he contended further that the word "soldier," under the 180th clause, was intended to exclude non-commissioned officers. It was a clause which had far better be sent back to have it properly worked up.

SIR HENRY HAVELOCK thought the Committee was quite evidently in a difficulty over which they would not get very easily, and, therefore, he hoped the Secretary of State for War would take back the clause. No doubt, there was a direct contradiction between Clauses 173 and 180, which would meet them at every step in the Bill. Unless, in some way or other, they got rid of this, and made the Bill uniform, they would have very great difficulties. They were told at the first that this Bill was to be distinguished for its simpleness; but, instead of that, it was being made the very reverse. The simple language to which all military men were accustomed had been abandoned—that language about which there was no possibility of making a mistake. The old Article of War, where a distinction was drawn between the words "officer" and "soldier," said "non-commissioned officer or soldier." In an attempt to introduce brevity these words had been omitted, and the mistake which had now arisen was the result. He wanted to impress on the right hon. and gallant Gentleman that this was not a difficulty which could be got over by merely passing over this particular clause; because the difficulty was present all through the Bill, and would meet them half-a-dozen times in the next six clauses.

MR. MEREWETHER admitted that there was a difficulty in regard to the Interpretation Clause. But he found that this clause was an exact copy of the Article of War—

> "Who, being concerned in any affray shall refuse to obey any other officer [though of inferior rank]," &c., &c.

It also said, "who shall order him into arrest; shall, if an officer be" so and so, and "if a soldier be" so and so. There was not a word in that, or the previous Article of War—the 38th—or in any of the others, of non-commissioned officer or soldier. Therefore, although this might not be a very great difficulty, he ventured to suggest that the clause might, for the present, be withdrawn. He did not think it was fair to say that any alteration had been made in the Articles of War, when it had been precisely followed, in order that the military authorities might have the exact words to which they had been previously accustomed.

MR. HOPWOOD thought that the discussion had considerably cleared up the opinions which some of them had entertained on the subject. First, with regard to the persons who were the subject of the clause, it seemed that every person who committed any of these offences mentioned was subject to the clause—everyone in the Army, whether officer, non-commissioned officer, or soldier. Then, having ascertained who were the persons subject to the clause, he would next inquire what were the offences. "Being concerned in any affray, refuse to obey any officer." It surely could not be contended that that contemplated a non-commissioned officer as the offender refusing. ["No, no!"] It was in accordance with the old Articles of War, and if there was any objection to that, it should be a matter for fair debate; but it was not the fault of the drafting of the clause. Then "refuse to obey any officer." They all could see what that meant. It surely meant to exclude the non-commissioned officers. ["No, no!"] But it must be so. No one used the word "officer," as meaning a non-commissioned officer, if he meant the latter he said so expressly. Then came the words, "any officer, though of inferior rank." That meant that a major could be arrested by a captain under the circumstances mentioned in the clause. He must be "concerned in any affray." To constitute the offence, there must be such a breach of order, and such a state of things, that it was necessary that the ordinary rules of discipline and the ordinary understanding of the Army should be set at nought for the time, and the superior be compelled to submit to the inferior. Then came the next words—

> "Strikes or uses, or offers violence to any person, whether subject to military law or not, in whose custody he is placed, and who is not his superior officer; or resists an escort whose duty it is to apprehend him or to have him in charge; or breaks out of barracks, camp, or quarters, shall, on conviction," &c.

Some remarks had been made unfavourable to the draftsman; but really he could not find any justification for them. He could not see the necessity for any alteration or explanation of the whole of the clause, except to leave out the portion as to breaking out of barracks, which was objected to as new, and he hoped the majority of the Committee would agree to it.

Mr. E. JENKINS pointed out that this difficulty had arisen out of a matter which had not yet been brought to the notice of the Committee. The Article read by the hon. and gallant Member for Harwich (Colonel Jervis) was not exactly the same in wording as sub-section 1—

> "Being concerned in any fray, refuses to obey any officer (though of inferior rank)."

Clearly, those words were contended to convey the meaning "officer," and nothing else. That view was confirmed by the fact that, up to the present time, as he was informed, if a soldier were concerned in any affray he was not brought to trial under this clause, but under another. Evidently the confusion had arisen from the endeavour to include in this clause a clause which was intended to affect officers, non-commissioned officers, and men alike. What was really needed was that the clause should be sent back and thrown into shape, so as to define the offence in the case of a non-commissioned officer and a soldier.

Colonel BARNE remarked, that if this clause were sent back they must also send back all the clauses hitherto passed. There was no mention made of non-commissioned officers, and, therefore, this clause did not apply to them. The same objection affected most of the clauses they had already passed. If the Secretary of State for War would consent to alter the definition in such a manner as to include non-commissioned officers, the whole of this difficulty would be got over.

Mr. HOPWOOD replied, that he did not explain that, because somebody else had just previously pointed out that there was no necessity for mentioning non-commissioned officers at all, because it had been provided in Clause 173 that all provisions of the Act which applied to a soldier should apply to a non-commissioned officer.

Mr. ASSHETON CROSS reminded the Committee that it was wandering from the actual point under discussion. No doubt, some hon. Members wished that in every clause should be inserted the words—"officer, non-commissioned officer, or soldier;" but he could not think that was important to the Bill as at present drafted, because the Definition Clause stated clearly what was stated under the words officer, superior officer, non-commissioned officer, or soldier. If it was necessary to make the meaning clearer, it was easily done; but that was not the smallest reason for postponing the present clause. Let them come to a conclusion as to what they really wanted to do. The hon. and gallant Gentleman opposite (Sir Alexander Gordon) wished to confine this clause to soldiers, and wished the last part to read "shall on conviction by court martial be liable, if a soldier," and so on—the word soldier, under the 173rd clause, including a non-commissioned officer.

Colonel MURE reminded the right hon. Gentleman that Clause 173 was cancelled by Clause 180.

Mr. ASSHETON CROSS asked the Committee to make up its mind, in dealing with each clause, what it intended to do with it; and then, when the end of the Bill was reached, nothing would be easier than to alter it accordingly.

The whole thing would have to be amended on the Report.

MR. J. BROWN pointed out that a soldier was much more likely to come into collision with a non-commissioned officer than with his officer. The difficulty was that while the 173rd clause included a non-commissioned officer in the word soldier, the subsequent clause was exactly contradictory. Read together, they amounted to something like this—"The word soldier includes the word non-commissioned officer; but the word soldier does not include the word non-commissioned officer." It was an anomaly. The word "soldier" should mean non-commissioned officer; but it should not mean commissioned officer. That was, however, a mere drafting difficulty, which could easily be got rid of, and ought to be got rid of, because this Act would have to be read by military men, who were rather more likely to differ about it. If necessary, this could be met by amending either the 173rd or the 180th clause.

SIR ALEXANDER GORDON said, the alteration proposed by the Secretary of State for War showed what he wanted about breaking out of barracks. He could not share the difficulty some of his hon. and gallant Friends were in about the words "officer and non-commissioned officer," except as regarded the contradiction between the 173rd and the 180th clauses; but that was a point which could be dealt with afterwards. The Article of War quoted by the hon. and gallant Member for Harwich (Colonel Jervis), applied to both officer and soldier, and the previous Article, the 39th said—

> "(1) Any officer or soldier who shall use . . . . disrespectful words against our Royal Person, or any of our Royal Family, or, (2) who being concerned in any fray, shall refuse to obey any other officer, though of inferior rank, who shall order him into arrest;"

showing that the 2nd clause was a continuation of the 1st, and meant, also, officer and soldier. He did not share the difficulty about the 173rd and the 180th clauses, as it could be remedied when they got so far; but he would remind the right hon. and gallant Gentleman of what he had said, that if this Bill had been sent up to a Select Committee a month ago it would have made much better progress.

MR. J. BROWN said, he would not put the Committee to the trouble of dividing on his Amendment; but the question of reducing a non-commissioned officer to the ranks was one with which they would have to deal by-and-bye.

SIR ALEXANDER GORDON wished to ask a question with regard to the ruling of the Chair. Did he understand that it was not competent for any hon. Member to raise a question on any of the first three sub-sections after an Amendment on the 4th sub-section had been discussed? Then, again, Sub-section 2 said that every person subject to military law, who

> "Strikes, or uses, or offers violence to any person, whether subject to military law or not, in whose custody he is placed, and who is not his superior officer."

Those words included civil custody; and he wanted to know whether a soldier or an officer who resisted the civil constable, sent to apprehend him for a civil offence, was bound to be tried by a court martial instead of by civil law? If he understood aright, the civil power took possession of him and arrested him; whereas this clause seemed to indicate that he could claim to be tried by martial law.

THE CHAIRMAN: The hon. and gallant Gentleman has asked me a question which it is not difficult to answer. It is, undoubtedly, the practice of the Committee to exclude any Amendment earlier in the clause moved after a later one has been discussed. That has been our practice without variation. The Question now before the Committee is the proposition to withdraw the Amendment of the hon. Member (Mr. J. Brown). It must be withdrawn in order to insert the words proposed by the right hon. and gallant Gentleman the Secretary of State for War.

Amendment, by leave, *withdrawn.*

SIR ALEXANDER GORDON said, he believed it was now competent for him to put his second question.

COLONEL STANLEY replied, that he understood, and he was advised, that the clause contained no such obligation as the hon. and gallant Member suggested. In such a case the civil law would take its course.

Amendment, in line 15, before the word "breaks," to insert the words "being a soldier," *agreed to.*

Clause, as amended, *agreed to.*

Clause 11 (Neglect to obey garrison or other orders).

Sir ALEXANDER GORDON moved that the clause be postponed, until the Committee have decided what persons were subject to military law. The words were—"Every person subject to military law who . . . . neglects to obey any general garrison or other orders." It was perfectly fair to make it applicable to military men, officers and soldiers who were conversant with garrison orders; but it ought not to be made applicable to civilians and non-combatants, who had no opportunity of knowing the orders in the Army. For instance, chaplains were under military law in England and the Colonies; but they had no means of knowing the law, and it had never been held to apply to them. Again, there were also civilians belonging to certain departments, who were also liable to be attached to the Army, and, when so attached, were liable to military law; but it would be very hard to make them suffer the penalties provided in the clause. There ought to be different punishments for the combatant and the non-combatant branches; and, before they could fix the punishments, they ought to know who were to suffer them. That was one reason why he had wanted to go into Part V. first, before they dealt with the offences. In the Mutiny Act they had always begun by stating who were subject to the law, and they then went on to define the punishments. He held in his hand the Mutiny Act for 1802. In the index, it was stated distinctly who were the persons liable under the Act, either wholly or in part; and then specified the persons to whom the Act was wholly applicable, and those to whom it was only partially applicable. An instance in point was supplied by the Auditor's Report to which he had, on a former occasion, referred, as to who should receive certain allowances. The Auditor General pointed out that certain officers had received higher allowances than they ought to have done as Army officers. The War Office replied that they were not included in the Army Circular. To this the Auditor General retorted by quoting their own Circular, showing that they were included.

Motion made, and Question proposed, "That the Clause be postponed."—(*Sir Alexander Gordon.*)

Colonel STANLEY thought the hon. and gallant Member had supplied another reason why he had been right in proposing to take the definitions after the offences. The hon. and gallant Gentleman thought there were persons to whom this clause should not be made to apply. It would then be perfectly open to him by-and-bye to modify the exceptions. But, with regard to this clause, he hoped the Committee would not postpone it. It simply laid down, not unreasonably, that every person subject to military law who neglected to obey garrison, general, or other orders, should suffer certain punishment. That was a reproduction of Article 75 of the Articles of War—"Any officer or soldier who neglects to obey garrison or other orders." He ventured to think they would not gain by postponing the clause. They could deal with the point raised very easily under the Definition Clauses.

Mr. E. JENKINS said, the present clause was not exactly a copy of the Article 75, because that said "any officer or soldier who neglects," &c. But this clause said "every person subject to military law;" and in Clause 166 there were a number of persons subject to military law, who did not come under this Article of War. They were, in fact, extending the operation of the law. Then, again, he did not agree with the proposal of the right hon. and gallant Gentleman that everything should be left to the Definition Clauses, and that then they were to exclude certain persons. Surely, when they were dealing with the principle was the proper time to make the exclusion. [Mr. Assheton Cross dissented.] He saw that the Home Secretary shook his head; but how, if he wanted a definition to be workable, could he go on, picking out a bit here and a bit there.

Sir WILLIAM HARCOURT had no doubt whatever that it was the intention of the Committee that certain persons not included in the Articles of War, and not officers or soldiers, should be brought under the operation of this Act; because they thought it politic to require persons in attendance upon an Army to obey those orders which were necessary to the discipline and the safety of the Army. Therefore, it was intended by them that persons in the position of camp followers and forage men should be affected by the military law. There might, or might not, be particular cases to which that principle should not apply; but he could not think that Clause 11 was one. It seemed to him that any person who lived in garrison should, for the safety of the garrison, obey the garrison orders. He might be a sutler, or he might be employed on the transport service, or anything of that kind; but it was equally necessary that that man should obey the garrison and other orders, as much as any other man in the place, and that was the intention of the clause. With reference to what the hon. Member for Dundee (Mr. E. Jenkins) had said, that particular persons should be excluded, nothing could be easier than to exclude them in the Definition Clauses, and to say that such persons should be regarded as subject to military law, except so far as clauses so-and-so applied. On general principles, it certainly did seem to him that these camp followers, who were not obliged to be there and might leave when they liked, should be subject to military law.

MAJOR O'BEIRNE wished the clause to be postponed until they knew what regulations were to be made affecting half-pay officers. They were, as he understood, to be subject to the same rules as full-pay officers. It was very undesirable to postpone that discussion until they got to the Definition Clauses, for then some of the hon. Members who were now in attendance might not be able to be present.

MAJOR NOLAN reminded the Committee that this really was a very stringent clause, although he admitted that the greater part of it had been taken out of the Articles of War. The clause said that—

> "Every person subject to military law . . . who neglects to obey any general garrison or other orders shall, on conviction by court martial, be liable, if an officer, to be cashiered, or to suffer such less punishment . . . and if a soldier, to suffer imprisonment, or such less punishment."

That was all very well when the Article of War was passed, for then very few garrison orders were issued, and only on matters of importance. But now-a-days, everything was a garrison order. If a man took horses out for exercise down a road where it had been directed that horses should not go, because some ladies living there did not like it, that was a breach of a garrison order. Or, again, if he went out with his forage cap on his head before a certain hour, that was a breach of a garrison order. He admitted that the Article had not often been enforced in such cases; but, still, the clause was a very stringent one—too stringent, as he thought—and certainly not one that should apply to camp followers, and other people of that sort. Again, the clause said "any general garrison or other orders." Evidently, a comma was wanted after the word "general;" but he objected very much to the former Article of War being made more stringent by putting in "general orders" in addition. Some people might suppose that they were more important than garrison orders. If they were, they were much less specific, and many people did not even know what they were. He had no hesitation in saying that there was not an officer in the Service who did not disobey a general order once every two or three months, and many of them did it far oftener. Under this Act they would be able to try a man whenever they wished. It was a great deal too stringent; and it was surely folly, when they found an Article so stringent that it was not put in force, to make it still more ridiculously stringent. He was certain if every officer were tried every time a general order was broken, they would very shortly have no officers left to try them.

SIR ARTHUR HAYTER thought a mistake had been made in supposing that camp followers were included under this clause. They were subject to the same rules as soldiers; and under Clause 180 they found that the expression "soldier" included not only persons belonging to the Regular Army, but persons belonging also to the Reserve or Auxiliary Forces. A man must be two things to come under its operation. He must belong either to the Regular Reserve or Auxiliary Forces, or he must be subject to military law. These people would not be liable to any punishment, because it was only to be inflicted on an officer or soldier.

SIR WILLIAM HARCOURT thought the hon. and gallant Member for Bath (Sir Arthur Hayter) had hit a blot in the Bill. Of course, it was intended that all the persons mentioned in Clause 167, page 94, sub-section 11, should be treated as soldiers. It was meant, no doubt, that they should be subject to the same law as soldiers. No doubt, when they came to the definitions in Clause 180, the definition of soldier was more narrow than that contained in Clause 167. That ought to be corrected; and, for his part, he thought the best way would be to take the narrow construction as the guiding one.

Mr. E. JENKINS had a great objection to extending the clause in this way. An officer or soldier who joined the Army knew, of course, that he was subject to these laws. But how was it possible for a number of savages—like the Kaffirs—to know under what law they came? Yet for the mere neglect of general or garrison orders they were to be brought under the operation of these fixed statutes. He always understood that these cases of sutlers and Army followers were dealt with upon general principles. He did not think they should be subject to anything of this kind which would really bring them within the operation of a law of which it was hardly possible they should ever have heard. Some sort of protest ought to be made against that, and he should divide with his hon. and gallant Friend.

Sir ALEXANDER GORDON said, the old words were "Any officer or soldier who shall neglect garrison or other orders." Those words only applied to soldiers, and not to civilians. But now it was proposed to extend the Act, so as to include all persons subject to military law. Under that would then come waggoners and carters in London and elsewhere, who might suddenly be pressed into service, and marched a number of miles from their homes and then discharged. They were compulsorily attached to the Army; yet if this clause were passed, they would be liable to be tied up and whipped for disobeying an order of which they had never heard. This Bill introduced a novelty never heard of before in this country. Under the order of the Secretary of State, he might in times of emergency—everyone might—be called upon to provide his horses and carriages for a journey of 25 miles, and everyone would be liable, with his servants, to military law, and to be punished under it if they disobeyed orders. That was an innovation of which they had never heard in this country before; and, therefore, they ought to be very careful how they introduced increased severity in the punishment of the offence of neglecting orders. He felt so strongly upon this subject that he must divide the Committee.

Colonel MURE said, these were powers which were necessary under certain circumstances. There was nothing in the clause which had not existed and been exercised under the old Mutiny Acts. It merely legalized what was absolutely necessary.

General Sir GEORGE BALFOUR was decidedly of opinion some important change was required in the Definition Clause. It brought a class of men not accustomed to the minute restrictions to which soldiers must be liable under military courts martial. He should never think of making persons in the Medical Department subject to the same severe law as the soldiers. The proofs would be required of a regular and ordinary kind of acquaintance with the daily orders issued to soldiers, which could not be adduced in the case of the many classes who followed an Army. Unless the Secretary of State for War would make some important change in the definition, the hon. and gallant Gentleman would be quite right in dividing.

Sir ALEXANDER GORDON explained that the hon. and gallant Colonel (Colonel Mure) had undesignedly misled the House. The provision he referred to had never been exercised before, because it had never existed before. At present, the Secretary of State for War hired carriages; but if this Bill passed, he would be able, on an emergency, to take them from any gentleman, and did not confine his power to those who kept horses and carriages for hire. When the time came he should propose to amend that clause; but, as it now stood, every gentleman owning a horse and carriage was liable under this clause, if the Secretary of State declared there was an emergency, and took them.

Sir WILLIAM HARCOURT said, the hon. and gallant Gentleman was under some misapprehension as to this clause, which was the more remarkable as he himself was one of the Committee who considered this matter. They recommended that, under certain circumstances, sutlers and others should be brought under the operation of the Mutiny Act. This was the recommendation of the Committee—

> "The mischief is the same in respect to this class of persons, whatever may be the class to

which they are attached, and it appears to your Committee that they should be affected generally."

In consequence, they would find that this was subsequently done, with the concurrence and acquiescence of the hon. and gallant Gentleman. [Sir ALEXANDER GORDON: No, no.] Well, if the hon. and gallant Gentleman objected to it, he was the only one who did. At any rate, Sub-section 11 of Clause 167, at line 11, distinctly limited the operation of this clause, of which he was complaining, to all persons not otherwise subject to military law—

"Who are followers of or accompany any portion of Her Majesty's Forces consisting partly of Her Majesty's Indian Forces," &c., &c.

What the hon. and gallant Gentleman was complaining of could not happen, because the case was limited to beyond the seas.

MR. E. JENKINS pointed out—["Oh, oh!"]—he would move to report Progress, if the Committee did not wish to go on—that under Sub-section 9, among persons subject to military law were—

"All persons who are or may be hired to be employed in a corps of Artillery or Engineers."

That meant in this country as well as on foreign service. But in the Mutiny Act, Clause 2, they would find that this provision was explicitly confined to persons employed in the Indian Service; so it surely could not have been intended that this clause, which they were at present discussing, should apply to all persons in England who were employed in the Artillery or Engineers. He should like to know whether that was the intention of the Bill?

SIR WILLIAM HARCOURT admitted that the 2nd section of the Mutiny Act did apply only to India; but the decision of the Committee was that every reason which made it apply there should make it apply to the Army and Navy generally. He was surprised that the hon. and gallant Gentleman should oppose the clause, for he did not remember any point upon which the Committee were more unanimous. They found a provision in the Mutiny Act, making these provisions apply to all Her Majesty's Indian Forces, and enumerating a great many people who were to be considered as followers. They asked themselves why, if it was good for India, it was not also good for the rest of the world? They considered that there was no reason why it should apply to the Indian Forces, which did not make also in favour of the other Forces; and the Members of the Committee were absolutely unanimous in recommending the change. That being so, it seemed to him that they were wasting time in discussing it.

MR. E. JENKINS said, one reason why it should not apply was the Bill of Rights, which he should have supposed the right hon. and gallant Gentleman would not have forgotten. There might be a strong argument for applying this rule to our Indian Forces and to our Forces on foreign service; but, surely, that House would never agree to make regulations, intended for foreign service in time of war, apply in time of peace in the United Kingdom. Why, in that case, any man employed as an engineer might be brought within the drastic provisions of this Act. It was absurd to place a man who happened to transgress these orders in times of peace in the same position as a man who transgressed them in times of war, or on foreign service.

MAJOR O'BEIRNE remarked, that he was a Member of the Committee, and he was bound to say he by no means assented to all that was done. Others besides himself objected to the way in which the Act was dealt with, and hurried through by the Chairman. A good many important matters were never discussed at all.

SIR ALEXANDER GORDON begged to correct the hon. and learned Member (Sir William Harcourt) in the statement that this proposition was carried unanimously, and that he (Sir Alexander Gordon) made no objection. If the hon. and learned Member would turn to page 20 of the Report, he would there find an Amendment moved by him proposing that this part of the Report should be omitted, and for the very reasons for which he was now objecting to it. It was one thing to pass an Act regulating the conduct of Natives in India, and quite another to apply the same Act to the conduct of Englishmen in England. The circumstances were entirely different—the alteration was originally made by a pure oversight. When the two Armies were amalgamated this phrase was included; but it was done by omitting a comma, or a stop, or something of that kind, and it was not enacted by Parliament that these very stringent rules should apply to Englishmen.

Motion *negatived.*

Major NOLAN moved, in page 5, line 22, after the word "any," to leave out the word "general." He thought the Secretary of State for War ought really to accept this Amendment, because the word "general" was not in the original Act, and the clause was ridiculously stringent. People were, as a rule, totally ignorant of general orders; whereas there was some possibility of knowing the garrison orders.

Colonel STANLEY explained that the word "general" was inserted because the word "garrison" did not seem applicable to some cases where it had been held hitherto to apply. The old distinction was between Forces in the field and Forces in garrison; but there were places which could hardly be called garrisons—such as Aldershot, the Curragh, and other open camps—and the word had been inserted to meet these cases. If the interpretation of the word "garrison" remained the same, he did not think there was any objection to omitting the word "general;" but it was put in, in order to cover these places. Garrison usually meant a fortified place.

Major NOLAN said, by "general orders," he understood orders issued and circulated among the troops from the Horse Guards, which were not generally read by the officers. He had no objection to Aldershot and these other places being on the same footing as a garrison; but he was thinking of those general orders, which were very numerous, which were very complicated, and which many people did not understand.

Amendment *negatived.*

Major NOLAN said, there had been some misunderstanding. He understood the Secretary of State for War to say that he accepted the Amendment. Of course, he could not re-argue the question; but he hoped some words would be put in on the Report to show that this word "general" was only intended to apply to places like Aldershot and the Curragh, where the orders could not be fairly called garrison orders, and could not apply to orders issued by the Horse Guards. If that was not done, he himself would move to put in words on the Report.

Colonel STANLEY thought a small matter of that kind could not find a place in the Bill.

Clause *agreed to.*

Clause 12 (Desertion).

Sir ALEXANDER GORDON pointed out that as he read the Bill the law was made more severe than before. It began "deserts or attempts to desert Her Majesty's Service." The words "attempts to desert" had been put in. There was a distinction between deserting and attempting to desert. He should like to know why the clause had been made more severe? He would move to omit those words.

Amendment proposed, in page 5, line 30, after the word "deserts" leave out the words "or attempts to desert."—(*Sir Alexander Gordon.*)

Colonel STANLEY replied, that attempting to desert had always been visited, deservedly as he thought, with very severe punishment. He was sorry to say that in our Army desertion was one of the most serious crimes with which they had to contend; and he wished the Committee to consider whether the punishment allotted in this clause was, under all the circumstances, excessive? In the 15th Clause of the Mutiny Act, and at the end of the Articles of War, these offences were specified. They had adhered to those provisions, in so far as that when committed on active service they should be punishable by death; but, under other circumstances, the offender should be liable to imprisonment or a less punishment, and for a second offence should be liable to suffer penal servitude, or the lesser punishment mentioned in the Act. He would just take one of the cases with which they had sometimes to contend, not giving the man's name. Enlisted 30th March, 1874. Deserted 4th May. Enlisted 9th May. Deserted 6th June. Imprisoned by civil power for felony on 27th July. Deserted 26th October. Fined and imprisoned October 27th. Released and discharged April 19th, 1875. Two days after re-enlisted; deserted again April 13th, 1876, just a year after. He enlisted again on May 27th, and deserted July 23rd. He enlisted again, all this time at different brigade depôts; on August 2nd was imprisoned by the civil power, struck off the ranks, and discharged June 7th, 1877. He enlisted again July 5th, and deserted August 13th. He enlisted again October 24th, was imprisoned by the civil power November 27th; surrendered as a deserter April 26th, 1878. Tried by court martial May 6th; deserted again. Again fined, and finally discharged October 2nd. Now, that man for expenses and for escorts, &c., apart from a great many expenses not reported, cost the country no less than £40, besides the loss from loss of service. No doubt, this was an exceptionally bad case; but it showed the extent to which desertion might be carried, and why it was necessary to deal very severely with.

SIR ALEXANDER GORDON said, he objected to the punishment of death for the offence of "attempting to desert."

COLONEL STANLEY replied, that it was only on active service.

SIR WILLIAM HARCOURT begged to call the attention of the hon. and gallant Gentleman to the 15th section of the Mutiny Act. That made any person deserting, or attempting to desert, liable to death, whether on active service or not. This Bill modified the old Act, therefore, to a considerable extent. Under the old Act a man could have been put to death for desertion in time of peace. This Bill did not allow that to be done.

COLONEL DRUMMOND MORAY asked if they could not distinguish in some way between desertion and absence without leave? Except by Clause 70, which provided that after 21 days the Court of Inquiry might assemble, whose declaration should have the effect of a conviction by court martial, there was no mention made of the number of days which should constitute one offence or the other.

MAJOR NOLAN said, the elementary principle of the law was that if a man absented himself without leave, and did not intend to come back, that was desertion—they could never limit it by the number of days. They could not define it more clearly than that; for a man might be absent 15 or 16 days, and yet be living at home in his uniform, and that would only be "absent without leave." The point must be left to the opinion of the Court.

SIR ALEXANDER GORDON did not think that his object in bringing this Amendment forward was quite understood. It was quite true that the punishment had been mitigated; but under the Articles of War, if a man only attempted to desert, he was not liable to suffer death; and, therefore, the law was now being made more severe than the Articles of War.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 13 (Fradulent enlistment) *agreed to.*

Clause 14 (Persuasion of or connivance at desertion) *agreed to.*

Clause 15 (Absence from duty without leave).

MR. J. BROWN moved, in page 7, to leave out Sub-section 3. This offence was put under desertion, fraudulent enlistment, and absence without leave, not as it ought to come, if anywhere, under the head of miscellaneous offences, as straggling. It had always been treated before as belonging to the 50th Article. A man might be straggling from camp, or going out of bounds; but that did not make him guilty of an offence under this section, of being a deserter or absent without leave. It would be very hard to put soldiers, who had slipped out to see their sweet-hearts, under this clause. Desertion must have the intention not to return.

COLONEL STANLEY said, as this Article at present stood in the Articles of War it was perfectly ridiculous, because they tried a man for being found a mile or upwards from head-quarters. Of course, under some circumstances, it would be extremely unwise for the men to wander over the country. This applied, however, only to men without a pass; and he did not exactly see what words could better express the sense of the matter. To prohibit men from going to any prohibited places might be very restrictive, as a commander might prohibit every place outside the boundary gates. He wanted to show that the place prohibited was not to be too strictly defined in the Act of Parliament; but must be left to the sense and judgment of the commanding officer. He could not, at the present moment, think of any better words; but he should be reluctant to leave these out.

Major NOLAN quite agreed with the right hon. and gallant Gentleman that the present Article was ridiculous. He only knew it put in force once, and then the officer was off his head. Practically, it never had been put in force. If they gave a commanding officer the power of fixing bounds, he could even punish the men for going outside; while even if the bounds were merely fixed too close it was a great practical inconvenience. If a soldier was present at parade and came back to tattoo, he should be free to go about the country. To give the commanding officers power to fix bounds would be throwing a great responsibility on them; for some people would come and tell them that their bounds were too large, and force them to restrict them, and that, again, would be a very serious inconvenience to the soldier. He did not at all object to the words in the clause "in any place prohibited by any general garrison or other order," because there might be a public-house to which it was not desirable that the men should go. This power of fixing bounds might make the Army very unpopular.

Sir HENRY HAVELOCK trusted the Amendment would not be pressed, because these words were governed by the words in the following line, "fixed by any general garrison or other order." If regiments were stationed in isolated places, where the officer would fix artificial or very restricted bounds, he could understand the value of the limitation; but the words were broadened by the words in the next line. In large garrison towns there would probably be well-defined bounds fixed by the military authorities, outside of which it would not be desirable to extend them. He did not apprehend that the difficulty suggested by his hon. and gallant Friend would arise.

General SHUTE reminded the Committee that it was absolutely necessary for a commanding officer to have power to prevent the men under his command from entering certain districts, or parts of towns, or even public-houses. Surely, if a commanding officer had power to say that his men should not go into certain districts, he might be given power to fix the limits.

Sir ALEXANDER GORDON thought if they were altering the law they ought to make it milder. He saw no objection to the commanding officer fixing the limits of the camp.

Amendment by leave, *withdrawn.*

Major NOLAN said, he would formally move his Amendment.

Amendment proposed, in page 7, line 9, to leave out " beyond any limits fixed or."

Amendment *negatived.*

Clause *agreed to.*

Disgraceful Conduct.

Clause 16 (Scandalous conduct of officer).

Sir ARTHUR HAYTER gathered from Clause 166 that Volunteer officers were excluded from the application of the words—

> "Every officer who, being subject to military law, commits the following offence: that is to say, behaves in a scandalous manner, unbecoming the character of an officer and a gentleman."

If such were a correct view, it appeared to him most objectionable that a Volunteer officer guilty of such conduct should not be subject to dismissal.

Colonel STANLEY thought the consideration of this point had better be deferred until the Committee had an opportunity of discussing it under the Clause of the Bill (166), which cited the persons subject to military law to whom the provisions of the Act were intended to apply.

Mr. E. JENKINS said, he did not propose to discuss the question raised by the Amendment which he intended to move to this clause in any manner offensive to hon. and gallant Members. He pointed out the advisability of considering whether it would be possible to separate the civil and criminal portions of the Bill from those that were of a purely military character. It was well known that cases were constantly occurring in which officers had committed offences that would be much better decided upon by Civil instead of Military Courts. It would be seen, for instance, that the next section provided that cases of embezzlement and other offences against property were to be treated under military law. He therefore suggested, for the consideration of the Committee, whether it would not be better that all offences of a *quasi*-civil character should be referred to the Civil Courts, in exactly the same manner as the Court of Chancery referred questions of fact to be decided upon by the Courts of Law? Within the last few days only, an officer had been put upon his trial for forgery, a charge which involved questions of a kind the most difficult that could be brought before a Civil Court; and he could not help thinking that it was a bad thing that such cases should come before officers for the most part untrained to the laws of evidence, and, as was too often the case, unaided by efficient legal assessors. He therefore suggested that cases of embezzlement and offences of a similar character should be left to a Civil Court, whose decision would be much more valuable than that of a court martial. He pointed out that it was proposed to embody an Article of War as an Act of Parliament, and that the words made use of for that purpose were of a very general and indistinct character. The clause said that if a man

> "Behaves in a scandalous manner, unbecoming the character of an officer and a gentleman, he shall on conviction by court martial be liable to suffer imprisonment,"

words which might mean anything, from shaking a finger at the Commander-in-Chief to slapping his face, or calling him bad names. In short, they might mean anything to which a set of officers on a court martial could apply them; and, therefore, it was a monstrous thing that an officer's character should be made the subject of such vain charges. He submitted an attempt [should be made at once to define, by the 16th section of the Bill, the character of the offences which came within the meaning of the words "scandalous manner, and unbecoming the character of an officer and a gentleman"; and for that purpose he would move, in line 24 of the clause, before the word "shall," to insert the words—

> "Shall be convicted and adjudged guilty in any criminal court of any crime or misdemeanor under the Criminal Law."

COLONEL MURE contended that by this proposal the hon. Member for Dundee was asking the House of Commons to enact that an officer should be tried by court martial for having been convicted elsewhere, and that he should be subject to additional punishment in consequence. He thought the House was not yet prepared to assent to any such principle.

COLONEL DRUMMOND MORAY agreed with the hon. Member for Dundee in principle, and had himself given Notice of an Amendment providing that an officer convicted by a Criminal Court should from the day of such conviction cease to belong to Her Majesty's Army. He could not, however, agree that he should be afterwards sentenced to imprisonment by court martial.

SIR ALEXANDER GORDON thought that the hon. Member for Dundee had proposed his Amendment by way of alternative to the cashiering of an officer convicted by a Civil Court. He (Sir Alexander Gordon) would not retain the word "misdemeanor," considering the offence of too light a character to deserve the penalty proposed for it. He agreed, of course, with the hon. and gallant Member opposite (Colonel Drummond Moray), that an officer convicted of felony should be cashiered.

MR. E. JENKINS explained that his Amendment did not propose that any imprisonment should be imposed by court martial upon an officer convicted by a Criminal Court. All he asked was that the military authorities should be bound to take cognizance of the fact, and that it should be proved to them that such conviction had taken place. The point was a very important one. Supposing an officer to be charged with felony in the United States, was it contended that he should be cashiered before a court martial had decided that he had been convicted? He (Mr. E. Jenkins) was not proposing that a court martial should try a man for an act committed; but to try the issue whether he had been convicted or not.

MAJOR NOLAN hoped that the word "misdemeanor" would be withdrawn from the Amendment.

MR. E. JENKINS did not think it should be left to the unaided discrimination of the Horse Guards to settle whether a man had, or had not, been convicted of felony in a foreign country. The question would be better decided under the jurisdiction of a court martial; and he was quite certain that this would be satisfactory to the officers of the Army.

COLONEL STANLEY apprehended there would be no difficulty in establishing the fact that an officer had been convicted in a foreign country without appealing to a court martial. He drew attention to the consequences of so doing. Supposing that an officer had to be tried again by court martial, the court would have to assemble in the nearest dependency, or in this country; witnesses to prove the conviction would have to be summoned from considerable distances; and the country would, in consequence, be put to a considerable loss of time and money. If the case were of such a notorious character as that suggested by the hon. Member for Dundee (Mr. E. Jenkins), it could be perfectly well proved by ordinary means, available on the spot, and, as the hon. Member himself admitted, there could be no doubt whatever of the moral guilt attaching to the officer. It was agreed by all that an officer, so convicted, would be unworthy to remain in the Army. For the reasons which he had given, therefore, he felt it his duty to oppose the Amendment.

Sir ALEXANDER GORDON apprehended that our legislation could not be based upon the decisions of any foreign Courts. He was satisfied that the idea of a second trial would be most repugnant to the feelings of the officers of the Army.

Sir ANDREW LUSK, having had some experience in the administration of Criminal Law, most distinctly objected to the decisions of Civil Courts being reviewed by the military authorities. Such a course would not only be undesirable, but offensive; for no man in this country cared to be convicted without having a fair opportunity of showing his innocence.

Mr. E. JENKINS said, he had no wish to force his view upon the right hon. and gallant Gentleman, nor did he wish to put the Committee to the trouble of dividing. He took the opportunity, however, of protesting against a distinction which, by the wording of the clause, was drawn between "scandalous manner" and that which was "unbecoming the character of an officer and a gentleman."

Amendment, by leave, *withdrawn.*

Colonel ALEXANDER said, he was at a loss to understand why the punishment of imprisonment was to be added to the moral effects of a conviction for conduct unbecoming the character of an officer and a gentleman, notwithstanding that it had been suggested to the Committee of last year by Sir Henry Thring, who, although he was, doubtless, an excellent draftsman, knew nothing about the discipline of the Army. He (Colonel Alexander) submitted that this disqualifying offence should be visited with a disqualifying punishment, and the social ostracism which followed the conviction of an officer of conduct unbecoming the character of an officer and a gentleman. He moved, in lines 24 and 25, to leave out "liable to suffer imprisonment," and insert "cashiered."

Colonel MURE quite agreed with the view expressed by the Amendment of the hon. and gallant Member for South Aryshire (Colonel Alexander). It was most important that the highest punishment for the offence contemplated by the clause should always remain dismissal from the Service—that was to say, dismissal of the officer from the society of gentlemen with whom he had associated.

Colonel ARBUTHNOT said, it was quite unnecessary to state that he agreed with the hon. and gallant Member for South Aryshire upon this subject. His reason for rising was to point out that the question then before the Committee was more in the minds of officers of the Army than any other portion of the Bill. He had made inquiries, and had met with nothing but expressions of approval with regard to the Amendment.

Sir ALEXANDER GORDON hoped the Secretary of State for War would see the importance of adopting the Amendment of the hon. and gallant Member opposite. It was most important that an officer guilty of a scandalous offence should be got rid of from the Army.

Colonel STANLEY expressed his willingness to accept a change in the wording of the clause; but suggested that unbecoming conduct should be punished by cashiering, without the alternative of any minor punishment. He was hardly in a position to accept the Amendment until he had heard the opinion of other Members of the House, and of those who were entitled to speak upon it.

Sir ANDREW LUSK contended that no distinction should be made between officers and civilians in the punishment of offences known to the law, and thought that, in justice to the public, the clause providing for the punishment of officers by imprisonment on conviction of those offences should be retained. Any hon. Gentleman accustomed to sit upon the Bench would know that an opinion prevailed amongst military officers that they should not be imprisoned, but simply cashiered. He could not give his support to the Amendment.

SIR WALTER B. BARTTELOT pointed out that conduct unbecoming an officer and a gentleman would often go unpunished altogether in the case of a civilian. It would, therefore, in his opinion, be hard to apply the punishment of imprisonment to the conduct of officers in the Army.

MAJOR O'BEIRNE said, it was hard to say what was unbecoming of an officer and a gentleman in the matter of politics. When he stood for his county, he had been informed that his politics were discreditable. It was difficult to decide what politics were discreditable and what were not. He had been told that the Commander-in-Chief considered his political conduct to be discreditable; and it would be desirable to know what he considered to be political conduct unbecoming an officer and a gentleman. He (Major O'Beirne) hoped to receive from the Secretary of State for War an exact opinion as to his conduct, otherwise he should move to report Progress.

SIR ALEXANDER GORDON could not allow an observation which had been made by an hon. Member to pass unnoticed. It was wholly incorrect to say that there existed one law for the rich and another for the poor. If an officer were imprisoned, and cashiered also, he was twice punished. Such a remark as he had referred to ought not to go forth uncontradicted.

SIR ANDREW LUSK pointed out that any gentleman in London sentenced to 14 days' imprisonment for an offence against the law would, in addition to his punishment, be ruined; and therefore, in his opinion, the law should be the same for both officers and civilians.

COLONEL DRUMMOND MORAY replied, that many of the offences which would be included under the term of conduct unbecoming the character of an officer and a gentleman did not come within the cognizance of civil law—lying, for instance. A civilian could not be imprisoned for an offence of that sort.

SIR ALEXANDER GORDON pointed out that the law, as at present existing, required that an officer convicted of conduct unbecoming the character of an officer and a gentleman should be cashiered, and to this punishment there had never been any alternative.

COLONEL STANLEY was willing to accept an Amendment to strike out the whole of the words from "be," in line 24, to the end of the clause, in order to insert the word "cashiered."

COLONEL ALEXANDER agreed to the suggestion of the Secretary of State for War, his object being to keep the law as it then stood.

Amendment, by leave, *withdrawn.*

COLONEL STANLEY moved, in line 24, to leave out from "be" to the end of clause, and insert "cashiered."

MAJOR O'BEIRNE said, he had several times been obliged to allude to the fact that the military authorities were in the habit of interfering with Irish politics, and he would like to be informed whether the practice was to continue? Did the Commander-in-Chief still consider Irish politics to be discreditable? He wished to receive some positive assurance upon that subject.

COLONEL STANLEY had never understood that courts martial experienced any difficulty in defining the term "conduct unbecoming the character of an officer and a gentleman." With regard to the question of the hon. and gallant Member for Leitrim (Major O'Beirne), he knew nothing of the politics of any hon. Member—that was to say, it was a matter with which the Department he had the honour to preside over had nothing to do. He could only say that, as far as he was aware, the impression of the hon. and gallant Member was entirely erroneous.

MAJOR O'BEIRNE was quite satisfied with the reply of the right hon. and gallant Gentleman. He (Major O'Beirne), however, wished to say that the Predecessor of the Secretary of State for War (Viscount Cranbrook) held a very different opinion.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill?"

The Committee *divided*:—Ayes 79; Noes 8: Majority 71.—(Div. List, No. 80.)

Clause, as amended, *agreed to.*

Clause 17 (Stealing and embezzlement).

Mr. E. JENKINS moved to insert, in line 33, after the words "by court martial," the words "and not otherwise." He said, that the object of his Amendment was to prevent the occurrence of acts of great injustice, which had already been brought before the notice of the House. The Amendment would prevent the dismissal of an officer who had been charged with serious crimes—namely, those crimes defined in the clause, without trial by a court martial. The clause provided that—

> "Every person subject to military law who commits any of the following offences:—that is to say, being charged with or concerned in the care or distribution of any public or regimental money or goods steals, fraudulently misapplies, or embezzles the same, or is concerned in or connives at the stealing, fraudulent misapplication, or embezzlement thereof, or wilfully damages any such goods, shall, on conviction by court martial, be liable to suffer penal servitude, or such less punishment as is in this Act mentioned."

He did not propose to interfere with the Prerogative of the Crown to dismiss officers from the Service; but to insure that when a charge was brought against an officer of a definite, specific character, such as the misapplication of money, he should not be dismissed Her Majesty's Service without trial by his peers. Captain Hawtrey was not brought before a court martial at all, although he was kept under arrest for seven months, and then dismissed Her Majesty's Service. It was said that a Court of Inquiry was held at which Captain Hawtrey was not present; but, for reasons which even up to the present time had never been disclosed to him, he was dismissed the Service. He ventured to think that this was not a right thing to do; and although he did not wish to interfere with the Prerogative of the Crown to dismiss any officer it pleased at any time if it thought fit, yet, on the other hand, he considered that provision should be made that wherever a specific charge had been brought against an officer it should be gone into, or else that officer should remain in the Service. As altered by his Amendment, the clause would therefore run that a person charged with these offences should, on conviction by court martial, and not otherwise, be liable to suffer penal servitude, or such other punishment as might be mentioned in the Act.

Colonel STANLEY said, that as he understood the Amendment of the hon. Member, it would give an officer an absolute right to remain in Her Majesty's Service, subject only to the control of a court martial. He fully understood the object that the hon. Member had in view; but he failed to see how the words which he proposed to insert in the clause would carry out that object. He would be quite willing to enter into the matter at the proper time, and to insert an Amendment, if it were necessary, to provide for such exceptional cases as the hon. Member had in view. He must point out, however, that because an officer was not convicted by a court martial, it did not follow that he ought to remain in the Service; for supposing facts were brought out, which were discreditable to him, but that, owing to technical reasons, he was not convicted by the court, the Amendment of the hon. Member would give him a right to remain in the Service. He hesitated to say, where a charge had broken down against an officer by reason of a court martial failing to convict him for technical reasons, that he should in such a case be held to have a right to remain in Her Majesty's Service. He did not think that the Committee would be willing that such a state of things should exist; and he did not see what other effect the Amendment proposed by the hon. Member for Dundee could have. The case of Captain Hawtrey, referred to by the hon. Member, would have occurred just as much if the words proposed to be added were inserted in the clause, as it would in the shape in which the clause stood at present. He would also point out that Captain Hawtrey's services were dispensed with; but he was not punished, strictly speaking, under the terms of the Act.

General Sir GEORGE BALFOUR thought that the dismissal of Captain Hawtrey, without an open and a public trial, and merely under a letter from the Commander-in-Chief, was a most unwise measure. No trial having taken place before a court martial, on charges properly drawn up of specific acts done, was a great mistake. The hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) had read a letter from the Commander-in-Chief with respect to this case, in such terms as implied supreme power over the commission of this officer; and he must deny the right of the Commander-in-Chief to issue such a letter as that. The sole person responsible for the conduct of the Army was the Secretary of State for War; and the Commander-in-Chief had no right to the authority which he assumed in the letter as read. The Order in Council of 1870 did not give the Commander-in-Chief the power which he assumed; it could be only exercised by the Secretary of State for War, as the responsible Minister of the Crown, and he alone was responsible for the Army. He saw no chance of preventing cases like Captain Hawtrey's occurring, unless the opinion of the House of Commons was loudly expressed, to the effect that the Commander-in-Chief had no such power as in the letter read he assumed in that case to dispense with this officer's services. While, however, recognizing to the full the good intentions of the hon. Member for Dundee (Mr. E. Jenkins), he felt bound to admit that the Amendment proposed by him would not, in his opinion, prevent the abuse of authority. The only protection against abuse was by making public opinion in accord with the decisions of this House, to prevent the large powers required for a military Force from being perverted.

MR. STAVELEY HILL wished to point out to the hon. Member for Dundee that his Amendment would have the effect of taking persons subject to military law from the operation of the laws affecting the rest of Her Majesty's subjects. An officer or a soldier would by his Amendment be liable to suffer penal servitude, or less punishment, in no case, unless convicted by a court martial, and he could not, therefore, be sentenced if convicted by a Civil Court.

MR. ASSHETON CROSS: I should certainly object to that happening.

COLONEL MURE quite admitted that there was some confusion, if he might call it so, between the Secretary of State for War and the Commander-in-Chief; but he was bound to say in Captain Hawtrey's case there were quite as many people who believed that he had been too leniently dealt with as those who did not think him guilty of the offence with which he was charged. For his part, he must object to that case being brought before the Committee. It seemed to him that if the words proposed were added to the clause, an officer charged with embezzlement would be put in a better position than an officer against whom no charge was made. At present, Her Majesty's Government had the power to surrender the services of any officer; but if one were charged with embezzlement, there would be no power to give up his services, unless he was convicted by a court martial. That would be an absurd result; and he, therefore, must oppose the Amendment. At the same time, however, he must express his opinion that in cases of embezzlement, where there were questions of fact which could readily be tried, there might to be a court martial held.

SIR ALEXANDER GORDON thought the power of the Crown to dismiss an officer from the Service should be cautiously used by the Secretary of State, more particularly after a court martial had acquitted an officer of the offence with which he was charged. The Secretary of State really injured the reputation of the Crown by not letting the reasons on which he acted be known in all cases where the name of the Crown was used. He did not think that they were true Advisers of the Monarchy who would put it into such a position. Formerly, all the officers upon a court martial were distinctly sworn to do justice between the Crown and the prisoner; but in 1774 that oath was abolished. Since that time the Crown, through the Secretary of State for War and the military authorities, had assumed the right to act as Judge, and to dismiss and to punish an officer or soldier, although acquitted by a court martial. The prosecution was made in the name of the Crown as prosecutor, while the Crown was also the Judge. This double function was not according to English law. Formerly, the Prerogative of the Crown was rather to mitigate the severity of the court martial; but of late its influence had been exerted to increase the severity of military law, while the civil law was progressing on the side of mercy and leniency. He did not believe that the object of the hon. Member for Dundee would effect the object in view. At the same time, if they adopted his Amendment, they would preclude the cases of embezzlement being tried by the civil law, which was a most important consideration. The civil law would often punish these cases, when military law would fail to do so. He was sorry that the case of Captain Hawtrey had been brought forward, as he did not think this the proper time to discuss it. He would, however, put a Question on the Paper, which would enable his right hon. and gallant Friend the Secretary of State for War to answer the observations which had been made in a legitimate manner.

Sir HENRY HAVELOCK was unable to vote in favour of the Amendment of the hon. Member for Dundee. The Resolution which he had the honour to move declared—

> "That any officer accused of any military offence should be entitled to trial by general court martial, instead of having his case dealt with by a Court of Inquiry."

It did not appear at first sight that the Amendment of his hon. Friend did anything different; but, on further examination, it would be seen that there was a clear distinction between the effect of the two proposals. It was a distinction of the greatest importance; for, supposing any officer to be accused of embezzlement, his Resolution provided that he should be tried by a general court martial; but if the evidence led to the conclusion that he was guilty, although through some technicality the court martial was bound to acquit him, the right of the Crown to dismiss the officer from the Service would remain unimpaired. On the other hand, if the Amendment of the hon. Member for Dundee were carried, it would be impossible for the Crown in such a case to take any action at all. He thought that it was desirable that the Prerogative of the Crown should be retained, although, no doubt, it ought only to be very justly and wisely exercised.

Mr. E. JENKINS wished to say that if the rules for regulating the procedure of courts martial were properly drawn up, it was hardly possible for any technicality to lead to a failure of justice. At the present moment, courts martial were, unhappily, mere barbarous courts, badly conducted and administered by men knowing nothing about law or the rules of evidence, and even sometimes ignorant of the military law which they had to administer. It was possible to draw up a series of clauses under this Act which should provide that courts martial should become courts of justice, and courts that could be relied upon to do complete justice, so that an acquittal on technical grounds could not take place. Under the present system, it was hardly possible in the Supreme Court for any serious technicality to frustrate perfect justice being done; so that it was possible that the same thing might be effected with courts martial. They could be made such courts that the chances of a wrong decision would be reduced to a minimum. He apprehended that the difference between his proposal and that of his hon. and gallant Friend was, in reality, that his hon. and gallant Friend wished to retain the power of the Crown to dismiss officers from the Service who had been acquitted by courts martial. But he did not think that that was any answer to the Amendment he now proposed. It would be seen that unless it were provided that an officer charged with embezzlement should be tried by a court martial, they reverted to the system of holding Courts of Inquiry, which the hon. and gallant Gentleman disliked. There was no doubt that an officer should be dismissed if they were sure that he had committed the offence with which he was charged. When, however, he had been brought to trial and acquitted, there was no reason to say that he was guilty, if the decision of the court martial was to be worth anything. At the same time, his intention in proposing the Amendment had only been to bring the matter to the attention of the Committee; and as opinions adverse to his proposal had been expressed he begged leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 18 (Disgraceful conduct of soldier).

Mr. J. BROWN moved that the word "felonious" should be left out of Sub-section 5, so that that particular subsection should provide for the punishment of any other offences of a fraudulent nature not before particularly specified in the Act, or for any other disgraceful conduct of an indecent or unnatural kind. He thought that to introduce felonious offences in that clause was not necessary. Felonious was an expression not defined and not understood by the common soldier.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Drunkenness.

Clause 19 (Drunkenness).

COLONEL ALEXANDER moved, in page 8, line 26, to leave out from "if" to "soldier," in line 28, inclusive. The hon. and gallant Gentleman said, that the clause, as it stood, made an officer convicted of drunkenness, whether on duty or not on duty, on conviction by a court martial, liable to be cashiered, or to suffer such less punishment as was in the Act mentioned; while in the case of a soldier he was made liable to suffer imprisonment, or such less punishment as in the Act mentioned, or, in addition to or in substitution for any other punishment, to pay a fine not exceeding £1. He did not see that there was any reason for making the punishment for drunkenness more stringent in the one case than in the other; and he thought the matter perfectly dealt with by the law as it at present stood. He proposed also to insert, in line 28, after "mentioned,"

> "Every officer who, being subject to military law, commits the following offence, that is to say, the offence of drunkenness on duty, shall, on conviction by court martial, be cashiered, and."

COLONEL STANLEY said, that he would tell the Committee the reason why the clause was altered. On the one hand, it was thought that to make the punishment of officers being cashiered absolute on conviction for drunkenness when not on duty was too severe. At the same time, it detracted from the severity of the punishment of an officer for being drunk while on duty. Therefore, it was thought better to leave an officer only liable to be cashiered.

Amendment, by leave, *withdrawn.*

MAJOR NOLAN said, that this was a very important clause of the Bill, and an immense number of cases took place in which it was brought into operation. He did not want to have practically one law for the officer and another for the soldier. He thought it necessary to say that before proposing his Amendment. He proposed to leave out from the clause the words "whether on duty or not on duty." He did not think that the heavy penalties imposed by the clause ought to be inflicted alike when an officer or soldier was drunk on duty and off duty. To understand the subject, it was absolutely necessary to give a slight review of the present law with respect to drunkenness. He believed that in actual practice, both as to soldiers and non-commissioned officers, in 90 per cent of the cases occurring the present law worked very well. The system worked well as it was practically enforced. The first time a man was drunk off duty he was simply admonished; the second time, if it happened within six months—he would not be precise as to the exact number of months—the man was fined 2*s.* 6*d.*; if again drunk off duty within three months he was fined 5*s.*; and there was also a 7*s.* 6*d.* and a 10*s.* stage, and in working the matter was somewhat complicated. But a man knew exactly the fine that he would get for a particular act of drunkenness, and the commanding officer was bound to impose the fine; although he might, in addition, award any extra punishment. In practice, he did not do so, unless there were aggravated circumstances—as, for instance, a man getting drunk on duty. But if the man for six months was clear of drunkenness he started fair again. The present rules with regard to drunkenness were, in his opinion, sensible and rational up to a certain point. But after a man had committed his fourth offence within six months, and had been fined 10*s.*, the system became very uncertain. The man was liable to imprisonment for not less than 56 days, and even for a longer period; but the extraordinary part of the matter was that if he once reached the fifth, or the 15th, time after the 10*s.* had been reached, the regulations with regard to imprisonment were excessively uncertain. If a man had shifted from one station to another, he knew that he would be imprisoned for some time; but he did not know what his punishment would be. The uncertainty of the punishment was very great, for everything depended upon the officer before whom he was brought, and he might have a long imprisonment, or none at all. His proposal was that greater certainty should be introduced into the system after the fourth commission of the offence of drunkenness. He proposed that the maximum should be raised to six times in one year, up to which the sliding scale of fines should be applicable; and that after that point had been reached the man should be sent for trial before a court martial for habitual drunkenness. Up to the year 1871 there was no punishment whatever for drunkenness; but in that year it was thought right that habitual drunkenness should be abolished; and although a man was not heavily punished for one act of drunkenness, when drunk four times in a year he was made liable to heavy punishment. As he had said before, if drunk now more than four times in a year, he was liable to not less than 56 days' or more than 112 days' imprisonment. Some commanding officers, it was true, kept up a tradition of sending men before courts martial if they got drunk more than four times in the year. But the tradition had become dim; and he ventured to say that the system varied very much. A commanding officer had a great difficulty in knowing how to punish a man when he had exhausted the sliding scale of fines. What he proposed by the Amendment which he intended to move later was to continue the sliding scale of fines up to the sixth offence, as it had been found to work extremely well, and to punish habitual drunkards by trial before courts martial. He thought it extremely important that some principle should be established by which men were to be tried and punished when the limit of the scale of fines had been reached. So much for the case with regard to the men; but non-commissioned officers had always been very hardly treated. At the present moment he could hardly say what part of the Bill covered the case of non-commissioned officers; for whether they were intended to be included in the term "soldier," or in the word "officer," was not clear. He had always pointed out that a non-commissioned officer was placed in a very bad position with regard to these small crimes. He was to be tried by a court martial, and all that it could do was to reduce him to the ranks, whether for a grave offence, or for a small crime like drunkenness. In his opinion, for such an offence as drunkenness there ought to be some less punishment than reduction to the ranks. He believed the Government had made some proposal of that kind; but it did not meet with his approval. The case of the non-commissioned officers was peculiarly difficult, because it had been laid down that a non-commissioned officer was always on duty; and when this fact was taken in connection with the offence of drunkenness, it was particularly unfair. He would point out that the Queen's Regulations, in making a non-commissioned officer always on duty, in point of fact, over-rode all that the Mutiny Act and the Articles of War said. Coming to the case of the officers, the present state of the law was that an officer must be cashiered if found guilty of drunkenness while under arms. It was best to put it, as was done in the clause of the Bill, that he should only be liable to be cashiered; for it might be that such an offence as this might be committed under very extenuating circumstances. At the present moment, if an officer got drunk off duty there was no punishment for the simple act of drunkenness; but if he were in the habit of getting drunk, he could be tried for conduct unbecoming an officer and a gentleman. If he were drunk at 4 or 5 o'clock in the afternoon, for instance, or behaved himself in any manner discreditable to a gentleman, it was considered he should be punished very severely; and that was done by trying him for conduct unbecoming an officer and a gentleman. The clause before the Committee modified this rule, so far as to make any act of drunkenness when off duty a military crime in an officer, and to make him liable to very heavy punishment indeed. For his part, he totally objected to this provision, and for this reason many people were anxious to encourage sobriety by all possible means; but hon. Members should recollect that the civil definition of drunkenness in a person was being dangerous to himself and liable to injure other people. That was the usual civil definition; and he thought that the present state of the law with regard to drunkenness in officers entirely met that case. But the military idea of drunkenness was very much more serious as a general rule. If a man were unable to perform any duty he should be put upon, he was considered drunk. He did not suppose that, after taking two or three glasses of champagne, a man would like to go through a very difficult mathematical problem; and he believed that a man who could not be considered at all drunk, according to the civil law, might in a court martial be held to be guilty of drunkenness. The military idea of drunkenness varied as much with the kind of witness as with the state of the man himself. Most officers were very reluctant to pronounce a man drunk; but if two or three officers declared a soldier to be drunk, he did not think that there could be any doubt that he was so. But coming to non-commissioned officers, their opinion of drunkenness was very much stricter; and they would often swear that a man was drunk, when others would say that he was not totally incapable. Then, the provost-sergeant's idea of what constituted military drunkenness was very strict, indeed. He believed that if this change were introduced into the law, it would totally change the relations of officers between themselves from what they had hitherto been, and it would also change their relations to the men. It was said that commanding officers were the only persons to act, and that they would not necessarily try an officer for once upon a time taking too much wine. He wished to point out that this Bill was not intended for the present commanding officers only, but would probably survive all the commanding officers in existence. It should be remembered, therefore, that the Bill was to provide for a future race of men, as well as those now in existence. Undoubtedly, commanding officers were made up of every class of men, and they entertained very different ideas on the same matter. A very dangerous class were those men who were afraid of responsibility, and afraid of people saying that they were too lenient. He would like to know what would be the state of the Army if this law were brought into effect? A very radical change would be made. And if any officer was drunk in a military sense, was it intended to try him by court martial? If that were the intention, a very considerable change in the habit of the Army would have to take place. He was sure that officers, as a class, were much more sober than civilians; but he would ask any hon. Member whether, if a man dined out in London, or went down to Greenwich, if immediately after dinner he would be capable of performing any military duty? It would be perfectly hypocritical to say that every man in such circumstances was perfectly sober in a military point of view. In fact, if the provost-sergeant were stationed at the Greenwich Railway Station he would, no doubt, swear that many men in a good position, going home after dinner, were drunk, in the same sense that many private soldiers were considered to be so. On the other hand, believing, as he did, that this law, even if passed, could not be enforced, what would be the consequence? One man would not be tried by court martial for being drunk; but when another man was tried he would consider himself hardly dealt with, and would think that he had been tried not for getting drunk, but because he was obnoxious, or because of some prejudice against him. Again, there was this great danger—would the commanding officer be able to resist pressure, and refuse to put the law into force? And yet if he did not put the law into force, he would be overlooking a military crime when the offence was brought to his knowledge. On the other hand, if he did put the law into force, for one offence of drunkenness an officer was to be cashiered. If a man were drunk once, he would only be admonished for the first few offences. That would be fair. At the present moment, if an officer took much wine on several occasions he would be told that he must not do it again, on pain of being brought before a court martial for conduct unbecoming an officer and a gentleman. But the greatest difficulty would be found in putting such a hard and iniquitous law as this would be into force. If the majority of cases were overlooked, the first man that was tried and convicted would think himself hardly treated. He should like to see the law left in its present state, as it was not in the least unfair to private soldiers. He begged to move an Amendment to leave out the words "whether on duty or not on duty;" and he thought he might fairly divide the Committee upon it. He should afterwards propose an Amendment in the form he had mentioned, to the effect that the sliding scale of fines was to be extended to the sixth commission of the offence of drunkenness in one year by a private soldier; and that after that he should be punished with some more certainty, but not more severely than at present.

Amendment proposed, in page 8, line 25, to leave out the words "whether on duty or not."—(*Major Nolan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

COLONEL ALEXANDER wanted to say one or two words with reference to what had fallen from the hon. and gallant Member for Galway (Major Nolan). It was quite true that a very considerable alteration took place in the law in 1869, when the system of fines was introduced. The charge of habitual drunkenness was abandoned then, as well as the charges of drunkenness on duty under arms and drunkenness on duty not under arms. For the first of these offences 1*d*. a-day of the offenders' pay for any period not exceeding 60 days, and for the second the same amount for any period not exceeding 30 days, might be stopped. The system of fines had worked exceedingly well. With regard to what had been said about young soldiers, he was certain, from his experience, that a man might get drunk any number of times without being fined. He never in his life brought a man to trial for simple drunkenness; and the only case he ever had was where a man appealed from his decision, and insisted on being tried himself. That, he believed, was the system which obtained throughout the greater part of the Army. What happened was that the man committed some other offence—he was insubordinate, or absent without leave, or something of that kind—and he was then tried for drunkenness also, because, otherwise, the offence of drunkenness would not be recorded against him. The object was not to give the man a heavier punishment, but to have the charge recorded against him.

Colonel MURE thought it would be convenient at this point to call attention to his Amendment, which proposed to leave out the clause, and substitute another. He did not want to put officers and men in the same category as regarded drunkenness. If soldiers got drunk discipline could not be kept up; while drunkenness among officers was not so serious an offence. It was almost impossible to treat it in the same way in the mess-room as in the barracks. At the same time, he did not wish it recorded in the Act that the soldier was to be punished for drunkenness off duty, and that the officer was not. He should prefer to have it that every officer drunk off duty should be liable to be tried under Clause 16; while, if drunk on duty, he should be tried by general court martial. The hon. and gallant Gentleman opposite (Colonel Alexander) had said that soldiers were rarely tried for drunkenness alone; but that some other offence was usually combined with it. He was afraid that hardly held good with the rest of the Army, although he knew it was the case in the Guards. He would also limit the punishment for drunkenness to six months alone; because he knew, as an absolute fact, that there were men at this moment in prison for one year and two years for drunkenness and absence only. ["No, no!"] If hon. Gentlemen would take up the Report of the Military Prisons, they would find instances of punishments of 12 months, or 366 days, for mere dissipation, for mere drunkenness. That was a tremendous punishment. He saw hon. Gentlemen shaking their heads; but he knew it was the case, because he had inquired into these instances, and had means of ascertaining about them far beyond the information contained in Colonel Du Cane's Report. They were, perhaps, men of dissipated character, who had been often tried before; but, still, they were not bad characters, or they would have been turned out of the Army. These men had only enlisted for six years; and out of that six years they were condemned to spend a whole year—spring, summer, autumn, and winter—in prison for mere dissipation. Honestly, he thought this was very startling. He had made inquiries about the German Army of a very distinguished German officer, well-known in London society, and asked him how they managed in his own country? He replied that they turned men of bad character out of the Army; but that for cases of persistent dissipation, the outside punishment was six months. Even that, he said, was exceedingly rare. They put a man under surveillance, partly military and partly medicinal; and if his drunkenness went on, they turned him out as a useless fellow. But the man who habitually got drunk was often a roystering fellow, who liked company, was addicted to going to public-houses, and was physically incapable of keeping away from drink. Now, he asked the Committee, as men of common-sense, if such cases ought to be punished with a year's imprisonment out of a period of only six years' service? Even although it might be found that, in addition, there was absence without leave, was not that a period of imprisonment which was almost an outrage upon practical common sense? He knew, of course, that ever since they had done away with the punishment of flogging they were, practically, reduced to one punishment—imprisonment. There was, of course, very little variety; but as they had been obliged, by the pressure of public opinion, to get rid of the punishment of flogging, he did ask his right hon. and gallant Friend (Colonel Stanley) whether he would not inquire into the matter, and find some more ingenious method of punishing men than by locking them up in prison, and keeping them there for months? Of course, he knew very well that they could not compare the scales of punishment in military and in civil life, and that they must judge from a totally different stand-point. Nevertheless, the difference here was so enormous that he felt compelled to draw some distinction. What crimes might not a man commit in civilized life, and yet not be imprisoned for more than that time. A man might almost murder his wife; he might commit all sorts of scandalous, cruel, and indecent crimes; and he would not receive an imprisonment anything like that which these very young men received for what was, in ordinary life, a mere venial offence. He was not proposing to reduce the punishment; but, still, he did maintain that if they could not cure a man of drunkenness by six months' imprisonment, they certainly would not cure him by imprisonment for a year. He should not divide the Committee; but in these days of short service some other means ought to be found of curing drunkenness than locking these men up. He did not think, either, that these long punishments were of the least effect in curing drunkenness. He admitted that something had been done in the present Bill by drafting men into other regiments instead of keeping them in prison, and he hoped it would work; but, at the same time, he hoped that something else would be done.

Colonel ARBUTHNOT quite agreed with the statement of his hon. and gallant Friend (Colonel Alexander). So far as his experience of 23 years went, he could only say exactly the same thing. Since the time when the crime of habitual drunkenness was done away with, and fines were introduced instead, he could only say that his experience was identically the same as that of his hon. and gallant Friend. He never knew a case, either in the regiment in which he served, or in the regiment which he commanded, of a man being tried simply and solely for drunkenness, unaccompanied by some other crime. His hon. and gallant Friend the Member for Galway (Major Nolan) spoke of 244 cases as a very large number.

Major NOLAN explained, that he had made a mis-quotation. The number really was 892, men marked in the Report as military prisoners for drunkenness. It was the second crime in importance, drunkenness being the first.

Colonel ARBUTHNOT thought 244 a very moderate allowance, considering the extent of the Army. He could not believe that this number of 892 was for simple drunkenness. There must have been some other crime. The hon. and gallant Member opposite (Colonel Mure) talked of men imprisoned for a year, 366 days, for simple drunkenness. He was sure there was some mistake; for no commanding officer would think of allowing such a sentence for mere drunkenness.

Colonel MURE explained that he said not drunkenness, but dissipation, which meant drunkenness, and absence without leave, not desertion. In Colonel Du Cane's Report these cases were marked "drunkenness;" but, of course, he knew that meant drunkenness with absence—such as staying out of barracks. He did not think, however, there was any great moral difference between absence and desertion. He had seen men tried for absence who should have been tried for desertion, and *vice versâ*.

Mr. MORGAN LLOYD was of opinion that the severity of the clause tended to defeat its object. It provided that the offence of drunkenness, while on or off duty, might be punished in the case of an officer by cashiering, or by imprisonment, which involved cashiering. He thought it would be far more effectual if the clause read in this way—"The offence of drunkenness on duty shall, on conviction by court martial, be punished, if committed by an officer, by cashiering;" while in line 28 he would add, "if an officer not on duty or a soldier," to suffer imprisonment, &c., thus making a distinction between the offence of drunkenness on duty and not on duty. It was certainly a most serious military offence for an officer to be drunk on duty; if drunk when not on duty, the offence, though less serious, ought not to be disregarded altogether, but should be punished in a much less severe manner.

Major O'BEIRNE said, he had an Amendment proposing to add at the end of the clause the words "absence from tattoo in garrison or quarters not to be treated as a drunken offence." If a man was absent from tattoo with another man who had been often fined for drunkenness, he was fined for drunkenness also. It was very unfair, and he had known it give rise to desertion. If a man, unfortunately, enlisted in a regiment of which the commanding officer was a total abstainer, that officer would be certain, in his zeal for temperance, to treat every absence from tattoo as a case of drunkenness, and to punish it accordingly. He thought everything which tended, in the most indirect manner, to encourage desertion should be avoided.

Colonel BARNE entirely agreed with the Amendment. He thought it would be very hard to punish an officer for being drunk off duty once; while if he was often drunk, and grossly misbehaved himself, he could be dealt with under the 16th clause.

Sir HENRY HAVELOCK thought there must be some misapprehension as to the working of this clause. He listened with considerable astonishment and surprise to the remarks of his hon. and gallant Friend (Colonel Mure); but they seemed to be entirely contradicted by those of his hon. and gallant Friends opposite (Colonel Alexander and Colonel Arbuthnot); and he could only say that, during a fairly long military experience, he had never met with anything approaching the severity of which the hon. and gallant Gentleman (Colonel Mure) had spoken. It seemed to him another illustration of the saying that figures might be made to prove anything. In the old days, when several convictions for drunkenness constituted the crime of habitual drunkenness, he had known men in 15 or 16 years suffer some 30 punishments, which might amount in all to 12 months' imprisonment. The present practice in the Army was to limit it to 56 or 68 days, or some term like that; but such a sentence as 12 months he never heard of. These cases must be complicated by long absence without leave, or by offensive language, or by insubordination. The figures must have got mixed up wrongly somehow. He entirely agreed with the spirit of the Amendment, that imprisonment for drunkenness should be limited to six months; but he thought it was entirely unnecessary, because in the actual practice in the Army the punishment was very much within that limit. As regarded drunkenness on the part of an officer, either on or off duty, he did not at all sympathize with the remarks of his hon. and gallant Friends. One distinctive feature of the English Army was the high tone and character always maintained by the officers; and part of that was due to the feeling that drunkenness, whenever and wherever it occurred, was not a thing of which a man of good position would be guilty.

Sir ALEXANDER GORDON said, his objection to the clause was that it assimilated drunkenness on and off duty. Under the present law an officer drunk on duty under arms, on conviction before a court martial, must be sentenced to be cashiered. The punishment was in no way optional, and the court could do nothing but that. By this Bill it was proposed to make drunkenness not on duty equal to drunkenness on duty under arms a crime, on which the safety of an Army might depend, and than which there could be no offence more grave. An officer went to a race meeting, a luncheon, or a party, and got too much to drink, and that offence was to be punished in the same way as if he got drunk on guard. He hoped the Secretary of State for War would withdraw the words, as otherwise an impression might get abroad that drunkenness on duty was not a heinous offence, and that would be a very dangerous impression to produce. Again, by Clause 6 of the Bill, a sentinel drunk at his post was liable to death, while there was no penalty to an officer of that nature, and an officer drunk in charge of a guard was only liable to a reprimand. The whole clause seemed to him to be drafted in total misapprehension of the wants of the Army.

Mr. STAVELEY HILL pointed out that in the Navy the position of officers was the same, whether they were on or off duty. The 27th clause of the Naval Discipline Act of 1866—the Act now in force—provided that every person subject to that Act might, for similar misconduct, be dismissed from Her Majesty's

Service. He really could not understand why the same rule should not prevail in the Army.

COLONEL MURE said, as the correctness of his figures had been called in question, he hoped his right hon. and learned Friend the Judge Advocate General would give him a Return on the subject, showing where men were imprisoned for simple drunkenness and when other crimes were included, both in India and at home.

MR. A. H. BROWN wished to call attention to the construction of this clause. As it stood, a fine could be imposed for drunkenness on the conviction of a court martial. Another clause would give the right of the commanding officer, as, under existing circumstances, to fine a man any sum not exceeding 10*s*. He wished, also, to call attention to the case of the Volunteers who might be brought under the operation of this clause. He quite agreed that the best way of stopping drunkenness was by fine; but in the Army they could recover the fine by stopping the soldier's pay. They could not do that with the Volunteer, because he had no pay, and they would have to take something out of nothing. He might be told that the man could be convicted by court martial or by a commanding officer, and sentenced to imprisonment. In that case, Volunteers would be punished in a way which was condemned in the Army. He would ask the right hon. and gallant Gentleman whether some means ought not to be provided for recovering this money by civil process?

MR. ASSHETON CROSS wished to ask the military Members of the Committee a question, as they had taken up the case of the officers so warmly. He had not heard a single hon. Gentleman get up and say that there ought to be a distinction made in the case of the soldier drunk on duty and the soldier drunk off duty. If that was so, how could they justify their claim to the public and say that there was not one law for the officer and another for the soldier? If it was an offence for a soldier to be drunk off duty, which rendered him liable to the same punishment as the soldier drunk on duty, although, of course, the court would differentiate the punishment, how could they maintain that the same should not be the case with the officer drunk off duty? The court, in deciding the case, would know perfectly well that there was a difference; and when they came to distribute the punishments, the officer drunk on duty would get a very severe punishment, while the officer drunk off duty would not. It struck him that throughout the debate he had never heard one single word said for the soldier drunk off duty. It was the officer who had simply been out to dinner or luncheon and got drunk that they were defending. But that was the case with the soldier also, and he wanted to know why they were to have one law for the rich and another for the poor?

MAJOR NOLAN replied, that that was just what he and his Friends wanted, and he feared the right hon. Gentleman was not in the House when he went into this matter. They wanted a law equally fair for both parties. If a soldier was drunk off duty, he was simply admonished. This did not stop his promotion for more than a few months, it took nothing out of his pocket, and it made no practical difference to him, unless in after years he wanted to get a good conduct medal. But the officer was to be tried by court martial, and it was a tremendous punishment. The fine for drunkenness was 2*s*. 6*d*.; and if the officer for the same offence was fined two days' pay that would be very simple. He was not at all proposing one law for the officer and another for the man; but he did object to the Bill, for it made the law much more severe for the officer. He wanted to alter the clause; so that although a man might be imprisoned for being drunk, yet for that offence alone he should be simply admonished, unless it happened more than six times in the year; while if the officer were drunk more than six times in the year, he ought to be got out of the Service somehow. Unless the clause were altered in some way, this would be a very harsh and cruel law. They were doing an injustice—a palpable and a gross injustice—merely to keep up a certain appearance of symmetry in the Bill.

COLONEL JERVIS said, he had heard with great surprise the right hon. Gentleman the Secretary of State for the Home Department say that those who were in favour of the Amendment wanted to pass one law for the rich and another for the poor. But what was the punishment of the soldier who was drunk on duty? Death. What was the punishment of the soldier drunk off duty? A fine of £1. What was the punishment for the officer drunk on duty? Cashiering, which was worse than death to a gentleman. For being drunk off duty, the punishment was the same—cashiering. When they talked about drunkenness, too, people had different ideas on the subject. He had seen hon. Members in that House whom he thought would have been better at home; but they, no doubt, thought differently. He knew, also, that many commanding officers had very strict notions. There were many teetotallers now in the Army, who were very strict, who did not like to see strangers in the mess-room after dinner, and who were always inspecting their men to see whether they could walk straight or not. He knew some officers who had their men paraded at night, in order to see whether they were quite all right; while others had the good sense to allow them to go straight to their barrack-rooms. If they passed this clause, they would create an amount of ill-feeling which was totally unwarranted, and would do no good credit whatever.

Sir ANDREW LUSK did not want to prolong the debate, which he hoped would not take much longer; but he was surprised to hear the strong defence of drunkenness. He thought the clause a very reasonable and fair one, and that the right hon. Gentleman (Mr. Assheton Cross) was not far wrong in what he said. He wanted gentlemen in the Army to understand that they must be subject to law, the same as other people. The Army was an *imperium in imperio,* and the officers possessed many privileges which other people had not got; but they must not, therefore, try and ride rough-shod over the law, and imagine they were not subject to it. Englishmen were proud, and justly proud, of their Army; and if the House made stringent laws affecting them, the officers should not complain. Drunkenness, in his opinion, was not an offence which an officer and a gentleman should commit, whether on duty or off it.

Sir ALEXANDER GORDON thought the remarks of the Home Secretary would necessitate at least another hour's debate [" No, no! "], for they were most injurious to the welfare of the Army and the country. This assertion, that the debate had arisen from the desire of the officers to put themselves on a different footing with the men, was quite incorrect. It was quite the contrary. He objected to this clause that it did not deal with sufficient harshness with the case of the officer drunk on duty. His hon. and gallant Friend opposite (Colonel Alexander) had moved to amend the clause. [Colonel Alexander: It is withdrawn.] Then he would move that Amendment himself, unless, indeed, the hon. and gallant Gentleman (Colonel Mure) moved to omit the clause.

Mr. J. BROWN thought the Amendment would meet the object he had in view, which was to find out the position of Militia officers, who would only be under arms one month in the year. It would certainly have been very detrimental to the Service, if for the other 11 months they were to be held liable under this clause.

Question put.

The Committee *divided* :—Ayes 104; Noes 54: Majority 50.—(Div. List, No. 81.)

Major NOLAN said, his Amendment, as it stood on the Paper, related exclusively to the soldier, and as it was consequential upon the former Amendment being passed, he should have to change the wording, superseding it by these words—" if the offence has been committed on duty," and then, putting the words as they presented themselves to his mind, " if the offence is committed when not on duty every soldier who commits the offence of drunkenness," and so on. The effect of this would be to leave the Bill as it then stood, so far as the offence committed on duty was concerned, but somewhat modified it in respect of private soldiers, who committed it when off duty. There were 100,000 cases of admonitions for drunkenness in the course of the year. He wished to point out that up to a certain point the law, as it stood, worked very well; but after that point very badly. Every soldier guilty of the offence for the first time, while on duty, was admonished, and for the second offence he was fined 2*s.* 6*d.*, for the third offence, if committed within three months, 5*s.* Up to that point the law was reasonable. But after that it was bad, for a man might be sentenced to a term of imprisonment sometimes of 104 days or less. The well-known Report from the

Military Prisons, which he held in his hand, stated that there were 952 cases of imprisonment for drunkenness in the course of the year, and his experience fully confirmed the correctness of the Report. Some of the sentences were very heavy; four of them for upwards of 12 months, and 16 for 160 to 170 days. But it was not the length of imprisonment that he complained of, his objection was to the irregularity with which it was awarded. He, therefore, proposed that when the offence was committed off duty the soldier should not be subject to imprisonment, unless he committed the offence six times within one year. The offence of drunkenness was, in his opinion, but a slight one in a soldier, and not too serious a crime in an officer; although, of course, it was worse in the case of the latter. He moved to add the following words:—

> "If the offence is committed when not on duty every soldier who commits the offence six times in one year shall on conviction by court martial be liable to suffer imprisonment."

COLONEL STANLEY, having considered the case very carefully, was a good deal disposed in favour of the arguments advanced by the hon. and gallant Member for Galway. He was, however, obliged to inform him of the difficulty which he felt in accepting the Amendment precisely as it stood. It was necessary to make further inquiry into further points of detail, and as to whether it was wise to limit the period of imprisonment. He wished the hon. and gallant Member to understand that the Amendment was accepted in principle, and would be glad if he would confer with him, when, no doubt, a clause could be framed that would be perfectly satisfactory.

Amendment, by leave, *withdrawn.*

MR. MORGAN LLOYD said, that the Government, having now heard the opinion of hon. Members with respect to the clause, would, perhaps, promise the Committee to re-consider the whole clause, with a view to its improvement, and bring up a new one on Report. The clause, as it stood, was full of imperfections, which could be easily amended.

SIR HENRY HAVELOCK said, the hon. and gallant Member for Galway had expressed himself satisfied with the clause, after hearing the remarks of the right hon. and gallant Gentleman. This appeared to be rather in contradiction of the view entertained by him at an earlier part of the evening. If it was intended to limit the punishment of drunkenness off duty, he (Sir Henry Havelock) would suggest that the substantial justice of the case would be met by a return to the old rule, under which, the amount of imprisonment not being limited, very severe sentences were sometimes inflicted. It might, perhaps, be well to limit the number of offences to four instead of six in one year, and to limit the term of imprisonment also to four months.

COLONEL STANLEY confessed himself opposed to any limitation until he had further considered the subject, and examined more closely the figures quoted by the hon. and gallant Member for Galway. Although he cast no doubt upon the authority from which the Return had emanated, it was possible that cases of drunkenness on duty might have been mixed up with others of quite a different character. There certainly appeared to be a very large number of long sentences of imprisonment.

SIR ALEXANDER GORDON moved to add to the clause the words—

> "Provided always, That any officer convicted by court martial of having been drunk on duty under arms shall be cashiered,"

in order to make the provisions of the Bill the same as the existing law, and in order that the Government might not, by the passing of this measure, release officers from the duties at present imposed upon them, or make the law more lenient than it was at present. He had no doubt that the Secretary of State for War would be able to vote for this Amendment, which contained nothing new, and merely expressed the law which had existed for many years.

THE CHAIRMAN pointed out that the words of the clause, as adopted by the Committee, were—

> "The offence of drunkenness, whether on duty or not on duty, shall on conviction by court martial be liable, if an officer, to be cashiered, or to suffer such less punishment as is in this Act mentioned."

It would, therefore, appear that the rider proposed to be added by the hon. and gallant Member for Aberdeenshire was, in effect, precisely the same.

Sir ALEXANDER GORDON replied that the words "on duty under arms" were not in the clause. The present Mutiny Act drew a distinction between the offence when committed on duty under arms, and the offence committed when not under arms. The former, which was not included in the Bill, had always been considered a most serious crime; and he therefore imagined he was right in making a distinct Proviso with regard to it.

Sir WILLIAM HARCOURT explained that the clause, as proposed to be amended by the hon. and gallant Member for Aberdeenshire, would not really differ from the clause as it then stood, in a lawyer's sense of the term; because the clause, as it stood, provided for "the offence of drunkenness whether on duty or not on duty," and therefore included duty under arms or not under arms. Did the hon. and gallant Member intend, by his Amendment, to withdraw from the court martial any option whatever of mitigating the sentence which might be imposed? [Sir Alexander Gordon: Yes.] But was it desirable to remove that power? No doubt, if a court martial thought fit, it could punish the offence by cashiering; and he (Sir William Harcourt) would imagine that the opinion of all military men would be that an officer drunk under arms should be cashiered; but it was possible that circumstances of an extenuating character might occur which, in the view of the court martial, might not justify the infliction of the extreme penalty. What harm, then, could there be in leaving a discretionary power to the court? The clause provided for a severe penalty; but it left it open to the court martial to apply a mitigated penalty to cases in which they might think leniency could be shown. If the hon. and gallant Member was satisfied with that, the clause, as it then stood, was sufficient.

Sir ALEXANDER GORDON agreed that the court martial could always give a lenient punishment; but he desired strongly to point out that if the Committee passed the clause in its present form it would go out to the world that drunkenness under arms was not so great an offence as it really was. The Committee could, of course, agree to the clause if it thought fit; but he felt bound to protest against it.

General SHUTE thought the addition of the words unnecessary, inasmuch as he could not conceive that a court martial would do anything but cashier an officer convicted of drunkenness under arms.

Amendment *negatived.*

Major NOLAN suggested that words should be inserted to ensure the recovery of fines imposed by court martial on persons who, although not in receipt of pay, were subject to military law. As the case stood at present there was, of course, no opportunity of stopping the amount of the fines from any money due to them.

Colonel STANLEY would endeavour to answer the question raised by the hon. and gallant Member accurately when he had had an opportunity of further consideration; but he might mention his belief that means of recovery existed already under most of the approved Volunteer regulations. He apprehended that where the fines were recoverable proceedings could be taken in civil courts; but a Volunteer officer, before acting under the rules to which he had referred, would, doubtless, take into consideration the circumstances of the case.

Clause *agreed to.*

Offences in relation to Prisoners.

Clause 20 (Permitting escape of prisoner.)

Mr. J. BROWN moved, in page 9, line 1, after "escape," to insert "or get drunk." It was a common offence, and provided for in the Queen's Regulations. It was a crime constantly committed in Militia regiments, and, therefore, should be provided for here.

Colonel STANLEY objected to the Amendment, on the ground that it would be rather too severe upon the person in charge of a prisoner.

Amendment, by leave, *withdrawn.*

Colonel ALEXANDER, in moving, in page 9, lines 4 and 5, to leave out "penal servitude," and insert "imprisonment," said, that the 75th Article of War provided that any officer or soldier who wilfully or negligently allowed a prisoner to escape should be liable to suffer the punishment of imprisonment; while the 20th clause of the Bill before the Committee imposed penal servitude, or such less punishment as in the Act was mentioned. He had understood the Bill to be a consolidating measure, and not one for the purpose of rendering military punishments more severe than they were at present. The application of penal servitude to the offence contemplated by the clause appeared to him to be a very much more severe punishment than was necessary. He, therefore, begged to move his Amendment.

SIR WILLIAM HARCOURT said, the hon. and gallant Member for Ayrshire (Colonel Alexander) would find, under the 73rd Article of War, that non-commissioned officers and soldiers were subject to conviction for the offence described in the 20th clause of the present Bill, to "any such punishment as a general district or other court martial shall award." The rule followed in this Bill was to include such maximum punishments as could be awarded under the Articles of War. Now, a general court martial could award penal servitude in the case of a soldier. But it was different in the case of an officer. The clause, therefore, made the Bill more severe with regard to officers, but not with regard to soldiers. He entirely agreed with the opinion expressed by the Home Secretary, that it was undesirable, on the face of the Bill, to lead to the belief that one rule existed for the officers and another for the soldiers. The offence in question might, by taking only sub-section 2, seem to be comparatively light; but it appeared a very serious one when looked at in sub-section 1. The intention was not that penal servitude should always be administered, but that it might be administered, for the court martial could inflict any less punishment. The object of the clause was to fix the maximum of punishment to be inflicted by court martial.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 21 (Irregular imprisonment).

SIR ALEXANDER GORDON said, that this clause, as it stood in the Bill, would operate very hardly upon non-commissioned officers and soldiers. The present Articles of War stated that—

> "Any officer who unnecessarily detained a prisoner in confinement without bringing him to trial"

should be liable to the punishments mentioned. But supposing any officer in the Army, who was responsible for detaining a prisoner without bringing him to trial, were to report the matter to the commanding officer or to the Commander-in-Chief, the responsibility would be removed from him. Such an officer, under the clause, would have forwarded the case to the proper authority for investigation, and his responsibility would have ceased. After that had been done, there was no reason why the case should not remain before the proper authorities for months, as had actually happened on many occasions, without any step being taken. Therefore, he thought it better to retain such responsibility as the Articles of War at present imposed upon officers by making them liable for the detention of prisoners without bringing them to trial. He moved, in page 9, lines 9 and 10, to leave out "his case before the proper authority for investigation," and insert "him for trial."

COLONEL STANLEY did not think that the hon. and gallant Gentleman would be satisfied with the effect of his Amendment, even if the words he proposed were inserted in the Bill. It did not follow that a person charged with the duty of the detention of a prisoner under arrest or confinement was the proper person to bring him to trial. But that was the effect of his Amendment. When they came, further on in the Bill, to Clause 43—the clause relating to the redress of wrongs—the hon. and gallant Gentleman would see that they had extended the power of the soldier applying for a redress of wrong. Formerly, the power had been limited to certain particular matters; but it had been thought fit to extend that power very much indeed.

MR. E. JENKINS wished to point out that the clause dealing with this offence, as it stood in the Articles of War, did not specify that the act of detention need be by the officer who put the soldier under arrest, but might extend from that officer up to the Commander-in-Chief himself, who, under the Articles of War, would undoubtedly be liable if he detained a man under arrest without bringing him to trial. The effect of this clause was, undoubtedly, intended to and did increase the chance of the person who was under arrest, for it compelled the Commander-in-Chief to bring him to a speedy trial.

According to the clause as now introduced into the Bill, the responsibility was for detaining a prisoner in custody unnecessarily when his case had been brought before the proper authority for investigation. But supposing that proper authority to be the Commander-in-Chief, the clause excluded him from its operation, and, no doubt, it was intended to do so, for there had been some cases of very illegal and unjust detention of officers who ought to have been brought to trial. The case of Captain Roberts was brought by him before the notice of the House. He was kept under arrest for six weeks without being brought to trial. ["No, no!"] The Judge Advocate General might say "No, no;" but he thought it would be found on inquiry that he had been kept under arrest nearly six weeks, and would have had no chance of being brought to trial even at that time had not a Question been put in that House to the Secretary of State for War with regard to the matter. Then the military authorities, as the Americans would say, began to be very spry about the case. He trusted the right hon. and gallant Gentleman the Secretary of State for War would take this matter into his very serious consideration, as he appeared willing to do.

Sir ALEXANDER GORDON protested against the statement of the Secretary of State for War. The right hon. and gallant Gentleman had been guilty, no doubt unintentionally, of misleading the Committee, when he stated that the person who was responsible for bringing an officer to trial was the commanding officer. He surely knew that the commanding officer was bound to send the charge to the General commanding the district or to the Commander-in-Chief, and that the matter was then out of his hands. With respect to what the right hon. and gallant Gentleman had said as to the great difficulty of adopting the words he had proposed, he did not think that was the case, because those very words had been used in the Articles of War for hundreds of years, and no difficulty had occurred. To tell the Committee that there would be difficulty in adopting words that had been used from time immemorial was quite incomprehensible. He hoped the Committee would leave matters as they now existed; and that such protection as they afforded to officers and soldiers against unnecessary detention would be continued. Formerly, no person could be kept in confinement more than eight days without being brought to trial; but since that alteration had been made, case after case had occurred of officers being kept in confinement without being brought to trial. He must strongly protest against any change in the direction contemplated by the Bill.

Mr. STAVELEY HILL wished to draw the attention of the Committee to the 5th sub-section of the 45th clause, which was as follows:—

> "The charge made against every person taken into military custody shall without unnecessary delay be investigated by the proper military authority, and, as soon as may be, either proceedings shall be taken for punishing the offence, or such person shall be discharged from custody."

Colonel STANLEY said, that his hon. and learned Friend the Member for West Staffordshire had quoted the clause to which he also wished to call attention, and which, he thought, met the objections which had been raised. He did not wish to enter into any arguments, but only to correct the error into which the hon. and gallant Gentleman (Sir Alexander Gordon) had fallen into in quoting his words. He had said nothing about commanding officer; but what he did say was that it did not necessarily follow that a person charged with the arrest of a prisoner was the person charged with bringing him to trial.

Sir HENRY HAVELOCK thought that this was one of the most important clauses in the Act, for it went to the root of the principles for the administration of justice in the Army. Although the 5th section of the 45th clause provided that every person in military custody should have his case investigated as soon as might be, yet there was a great distinction between that and the Amendment proposed by his hon. and gallant Friend. The one recognised the right, to a certain extent, of every prisoner in military custody to have his case dealt with as soon as possible; but it did not make it compulsory on any person to bring him to trial, or make anyone responsible for not doing so. The principle for which the hon. and gallant Member was contending was that someone should be responsible for not bringing prisoners to trial. It was a most important principle; it was of the greatest importance, both to officers and soldiers, that the responsibility of bringing them speedily to trial should be fixed upon someone, and that no undue delay in bringing them to trial should exist. That principle ought to pervade the military administration; and he must remind the right hon. and gallant Gentleman the Secretary of State for War that of late years widely extended powers had been given with respect to the detention of military prisoners. For 150 years the rule had been that no man should be detained in military custody without being brought to trial for more than eight days. But that rule had been done away with. Now, the period during which a man might be detained was, practically, unlimited; and the right hon. and gallant Gentleman seemed disposed to take away the slight responsibility for the detention of prisoners which now existed. He knew a case where the detention had been three times as long as that of Captain Roberts, which had been referred to. Those cases could not have occurred if someone had been responsible for bringing the accused to trial within a certain time, and he thought the provision should be introduced into the Bill.

SIR WILLIAM HARCOURT also supported the Amendment. The onus of proof, in his opinion, lay upon those who desired to alter the existing law. This clause did alter the existing law, and he confessed that he had heard no arguments in favour of such alteration. The existing law was, that every person should be subject to punishment who unnecessarily detained a prisoner in confinement without bringing him to trial. His hon. and gallant Friend the Member for Aberdeenshire wished to retain that provision. The presumption was in his favour, and the onus of proof was on those who desired to displace the present rule. He had heard no reason why these words in the present law should be watered down in the way proposed. Instead of making someone responsible for not bringing a man to trial, they were to be made responsible for not bringing his case before the proper authorities for investigation. That was very vague language, and a very bad substitute for the definition of not bringing to trial. Surely, as a convenient thing, anyone could understand what bringing to trial meant; but bringing the case before the proper authority for investigation was a very uncertain expression. The case might be often sent to be investigated, and yet the man might not be brought to trial. As he considered the old law was the best, he should support the Amendment.

COLONEL STANLEY said, that he did not wish to controvert the principle which hon. Gentlemen seemed to have in view. If the Committee thought that the words of the clause did not carry out that principle, he would be willing to alter them. He had no desire to waste the time of the Committee; and, subject to the reservation that he should be able to bring up words on the Report to make things clear, he would not press his objection, but accept the Amendment.

Amendment *agreed to.*

MR. E. JENKINS wished to add some words after the word "trial." He thought the clause would be very much better if it ran—

"Every person subject to military law who commits any of the following offences; that is to say, unnecessarily detains a prisoner in arrest or confinement without bringing him to trial, or fails to bring his case before the proper authority for investigation."

That would make the matter perfectly clear.

Amendment *agreed to.*

COLONEL MURE said, he did not intend to move the Amendment which stood in his name.

MR. E. JENKINS said, that he had to move, in page 9, line 16, after "charged," to insert—

"(3.) Omits to forward to the proper quarter, promptly after receipt, any written remonstrance, charge, or statement sent to him by a prisoner addressed to any superior authority."

There was nothing in the Bill at present which provided against such an offence as that. Undoubtedly, the refusing to forward to the proper quarter a letter which had been addressed by a soldier or officer under confinement to the superior authority was an offence which ought to be treated in a very serious manner. There were cases within his knowledge in which letters written by officers and men appealing against their commanding officers had been detained. That ought to be prevented, and those letters ought to be forwarded to the persons to whom they were addressed. Where letters were of a character to which an officer whose duty it was to forward them objected, that was of no consequence. It should be insisted upon, in order to maintain the right of subordinates in the Army, that the officer whose duty it was to forward those letters was bound to do so.

Colonel STANLEY observed, that if the hon. Member looked at Clause 43 of the Bill, with reference to the redress of wrongs, he would find that it was provided that—

> "If any soldier thinks himself wronged in any matter by any officer other than his captain, or by any soldier, he may complain thereof to his captain, and if he thinks himself wronged by his captain, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to his commanding officer, and if he thinks himself wronged by his commanding officer, either in respect of his complaint not being redressed or in respect of any other matter, he may complain thereof to the general or other officer commanding the district or station where the soldier is serving; and every officer to whom a complaint is made in pursuance of this section shall cause such complaint to be inquired into, and shall, if on inquiry he is satisfied of the justice of the complaint so made, take such steps as may be necessary for giving full redress to the complainant in respect of the matter complained of."

He really thought that the Committee would consider that this provision would be amply sufficient to meet the case. The Amendment of the hon. Member provided that—

> "And any remonstrance, charge, or statement sent to him by a prisoner addressed to any superior authority."

should be forwarded. Thus, a man charged with drunkenness, or other small offence, might make a complaint of a very trivial character, and his commanding officer would be bound to forward it to the higher authorities. In the case of any real complaints, he thought that Clause 43 sufficiently provided for them.

Mr. E. JENKINS said, that under Clause 43 certain duties were imposed upon commanding officers; and if a commanding officer did not discharge those duties, there ought to be some way for punishing him. Nothing could be more discreditable than that a complaint made by a soldier or prisoner should be allowed to remain in the pocket of his commanding officer without being forwarded. It was said that the clause he proposed was not necessary; but he thought the Committee should endeavour to fix on every officer, upon whom any duty of forwarding communications devolved, the responsibility of doing so, no matter of what character it might be. If the matter were left to the discretion of an officer to decide whether it was frivolous or not, he thought it would be found, in practice, to be a very awkward matter. If, however, the right hon. and gallant Gentleman would undertake to bring in some clause which would be consequent upon the 43rd clause, he should be willing to withdraw his Amendment.

Colonel STANLEY might state that he proposed to accept, in principle, that knowingly suppressing any document, which it was the duty of an officer to forward, should be punished. While accepting that principle, he did not think that that was the place for its insertion.

Amendment, by leave, *withdrawn.*

Sir WILLIAM HARCOURT observed, that the insertion of the Amendment of the hon. Member would have defeated the very object that the hon. Member had in view, and would have introduced considerable confusion.

Mr. E. JENKINS was sorry to differ from so eminent an authority as his hon. and learned Friend, but it was not so—at least, unless there was a grammar at Oxford superior to that in use at Dundee.

Sir ARTHUR HAYTER wished to ask whether this clause was intended to provide for the case of non-commissioned officers whenever the word "soldier" was used, or when the word "officer" was mentioned?

Colonel STANLEY said, that a discussion had taken place upon this point at an earlier period in the afternoon, when it was decided that the matter should be left as it was at present. As at present drawn, the Bill in every case included non-commissioned officer under the term "soldier;" but if it were found necessary to introduce the case of non-commissioned officers in a different manner, it would have to be done in every case where it occurred in the Bill, and that would probably be done upon Report.

Clause, as amended, *agreed to.*

Clause 22 (Escape from confinement) *agreed to.*

Clause 23 (Corrupt dealings in respect of supplies to forces).

Mr. E. JENKINS moved, in page 9, line 38, after "court martial," to insert "if an officer." Consequent on this would be an Amendment to the effect that if an officer committed any of the offences named in the clause he should be liable to be cashiered, and then to suffer imprisonment or other punishment provided by the Act.

Colonel STANLEY was not quite certain of the reason for which this Amendment was moved. He confessed that he had thought that if an officer in command of any garrison, fort, or barrack, took advantage of his position to have any corrupt dealings in respect of supplies to the Forces it might, under certain circumstances, become a very serious offence. The proper punishment for that would be imprisonment, and such other punishments as were provided in the Act.

Mr. E. JENKINS said, that he thought an officer who was guilty of breach of his duty by committing any of the offences mentioned in the clause should be tried and cashiered. He proposed to move another Amendment, making the offender, whether officer or soldier, also liable to suffer imprisonment.

Mr. HERSCHELL said, that if the hon. Member looked at the penal clauses he would see that an officer must be cashiered before any other punishment was inflicted.

Mr. E. JENKINS observed, that his object was only to make the cashiering take place first.

Sir WILLIAM HARCOURT said, the effect of the Amendment of the hon. Member for Dundee would be rather to lessen the punishment than increase it. As the clause stood at present, imprisonment came first, then cashiering—the hon. Member wished to reverse the order.

Mr. E. JENKINS would not press his Amendment, the object of which was simply to make this clause agree verbally with the 44th clause.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 24 (Deficiency in and injury to equipment).

Mr. A. H. BROWN moved, in page 10, line 1, after "soldier," to insert "not being a Volunteer, except when on actual military service." The object of his Amendment was to exclude Volunteers from the operation of this clause. The clause provided that a soldier who made away with or injured his arms, clothing, or accoutrements, should suffer imprisonment or any less punishment. He wished to ensure that if a Volunteer committed these offences he should be dealt with under the Volunteer Act, and not by a court martial. The operation of the Volunteer Act with respect to these offences had been perfectly satisfactory both to Volunteers themselves and to their officers; and he thought it better to retain a law which was well known to Volunteers, than to make them liable to punishment by court martial. At the present time, commanding officers were responsible for any stores and uniforms supplied to them; and he saw no reason for bringing them under courts martial. In those cases where Volunteers were in camp and were supplied with certain articles, they were supplied to the commanding officer, not to the Volunteers themselves, and he would be responsible. That being so, the commanding officer would be brought to a court martial for the default of men under his command. On all grounds, he considered it would be desirable to maintain the procedure of the Volunteer Act, as its operation had been satisfactory and was well known.

Colonel STANLEY could not accept the Amendment in that place, though it was perfectly open to the hon. Gentleman to move afterwards, when they came to the Volunteer clauses, that they should be exempted. The effect of the insertion of the Amendment in that clause would really be to say that a Volunteer, except when on actual military service, could pawn, sell, destroy, or make away with the uniform, arms, and accoutrements given him, and yet not be liable to punishment. With respect to what the hon. Member had said as to the responsibility of the commanding officers of Volunteers in camp disposing of their stores, he apprehended that those officers would very promptly disown such responsibility, and would take steps to find out the men who had committed the offences. He might point out that the clause included any soldier, or any person occupying the status of a soldier; and if it were thought desirable to exclude anyone from that category, it could be done in the proper place.

Mr. WHITWELL thought the Amendment should be reserved until the place was reached where the position of a Volunteer required an exception. There was no harm in saying that a man making away with his arms, uniform, or stores, should be punished, although those articles might, for the time being, be lent to the officers.

Mr. HOPWOOD was quite sure that if the Government carried this Bill in its entirety it would have a most detrimental effect on the prospects of the Volunteer Force. If these very stringent provisions were applied to the Volunteers, Her Majesty's Government would find, as a result of their labours, that the men would decline to serve. He hoped, however, that the Amendment would not be pressed, and that the opposition to bringing the Volunteers under the stringent provisions of the Bill would be reserved till the proper time.

Mr. A. H. BROWN said, that it was quite proper that when Volunteers were brigaded with the Regulars they should be placed under discipline. That was an intelligible and proper view to take. But he thought it only reasonable that Volunteers should be amenable, in respect of their arms and accoutrements, to the provisions of the Volunteer Act. Under that Act all stores, arms, and accoutrements issued to the Volunteers had been satisfactorily accounted for. Nothing more was wanted, for it was only necessary to maintain the present law, which provided for the cases where arms, clothing, and accoutrements were placed in the power of Volunteers. He had chosen only a few clauses on which to draw attention to the position of Volunteers; but it was open to argue on many clauses that they affected Volunteers in an undesirable manner. As, however, the right hon. and gallant Gentleman had informed him that it would be subsequently provided that the clause should only affect Volunteers when brigaded with Regulars, he would withdraw the Amendment. The effect of this Act on the Volunteer Service must be considered; and he thought Volunteers deserved consideration, for they had worked well. In withdrawing the Amendment, he ventured to express a hope that the right hon. and gallant Gentleman the Secretary of State for War would carefully consider the matter.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 25 (Falsifying official documents and false declarations).

Mr. E. JENKINS said, he had an Amendment to this clause; but he understood that the right hon. and gallant Gentleman the Secretary of State for War was going to bring in a clause to carry it into effect.

Colonel STANLEY said, he was willing to accept the Amendment with a little alteration. It was proposed by the hon. Member to make it an offence in a person subject to military law

> "Knowingly suppresses or makes away with any document, letter, or writing which it is his duty to preserve or to produce to any military authority."

He thought the words "which it is his duty to preserve" went too far. It was difficult to say what documents, letters, or writings, it was necessary to preserve. He would make it clearer by adding, after the words "document, letter, or writing," the words "with a view to falsification or withholding the same."

Amendment *agreed to.*

Mr. E. JENKINS moved, in page 10, line 24, after "shall," to insert "on conviction by court martial or otherwise under this Act."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 26 (Neglect to report, and signing in blank).

Major NOLAN wished to draw attention to this clause. By it every person

> "Who refuses or by culpable neglect omits to make or send a report or return which it is his duty to make or send shall be liable, if an officer, to be cashiered, or to receive such less punishment as in this Act mentioned, and if a soldier, to suffer imprisonment, or such less punishment as in this Act mentioned."

Anyone acquainted with the Army would know that it was the duty of every commanding officer to send in thousands of reports, at different times, and at all possible times, and in every possible form. It was quite impossible but that some of those returns or reports might be omitted. It generally happened that the clerks of the subordinate officers made it their duty to send in the returns; and between those clerks and the clerks at the principal office the commanding officers got into disgrace. There was every chance of the subordinate clerk failing in his duty, for every sharp clerk was taken into the superior office. Under this clause, any commanding officer would be liable to be tried by court martial six or eight times a-year. He wished to point out that the old Act, or rather Article of War 84, was pretty strong upon this subject, but that it hedged round in some way, so as to mitigate its rigour. This was done by making certain restrictions govern the words "return or report." It was to this effect—

> "Or shall make or return any report to any superior officer of the state of any regiment, troop, or corps, knowing that the same shall be false."

He believed that the words here used would not apply to nine-tenths of the reports sent in. He begged to move that the words of the 2nd sub-section of the clause should be amended as follows:—

> "Refuses or by culpable neglect omits to make or send to his commanding officer a report or return of the state of any regiment, troop, or company garrison or corps under his command which it is his duty to make or send."

He also thought that "any officer" should be substituted at the commencement of the clause for "every person," otherwise a private might be tried by court martial under the clause.

COLONEL STANLEY had no objection to the principle of the Amendment proposed, but was not quite sure whether the words proposed would meet all cases. The War Office was anxious, so far as possible, to diminish the volumes of returns that were now made; and anything reasonable in that direction he should not only be willing, but anxious to effect. At the same time, considering that they proposed to do away with the muster form, to which the hon. and gallant Gentleman called attention some time ago, it was necessary, by means of reports, to have some check on the Paymaster's returns; and he was not quite sure whether the words proposed were sufficient to meet the case of reports sent direct to the War Office. He would, however, accept the Amendment, on the understanding that it were revised and inserted on Report.

MAJOR NOLAN was quite content with the concession made by the right hon. and gallant Gentleman. He might say that when these Articles of War were drawn up it was never intended that an officer should be liable to punishment, unless he prevented his commanding officer from knowing the state of the regiment. Now things were changed, and there was a whole mass of returns to be filled up, some of which were of no importance. To cashier an officer for neglecting to send in some of these reports was absurd.

Amendment, by leave, *withdrawn.*

MAJOR O'BEIRNE moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Beirne.*)

COLONEL STANLEY hoped that the Committee would go a little further before reporting Progress. When they had gone a little further he would be as anxious as anyone that Progress should be reported. The next few clauses would not cause serious discussion.

MAJOR O'BEIRNE asked at what clause the right hon. and gallant Gentleman would be willing to report Progress?

COLONEL STANLEY: At the end of Clause 29, if no unexpected point arises.

MAJOR O'BEIRNE said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

MR. E. JENKINS moved, in page 10, line 35, after "officer," to insert "on conviction by court martial."

Amendment *agreed to.*

MR. E. JENKINS moved, in page 10, line 36, after "soldier," to insert "on conviction by court martial, or otherwise."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 27 (False accusation, or false statement by soldier).

Mr. E. JENKINS moved, in page 11, line 11, after "furlough," to insert—

"(4.) Being an officer or soldier examined before a military court or commission of inquiry, and not on oath, makes any false or calumnious statement respecting the conduct or affairs of any officer or soldier whose conduct is the subject of such inquiry."

Mr. ASSHETON CROSS objected to the word "calumnious," as being indefinite.

Mr. E. JENKINS pointed out that if the word "calumnious" was indefinite, the term must also be applied to the word "scandalous," used in Clause 16 of the Bill, and applied to conduct unbecoming the character of an officer and gentleman. He could conceive nothing more ungentlemanly, or more scandalous, than that a person examined before a Court of Inquiry especially privileged, where witnesses were not upon their oath, and in the absence of the accused, should be guilty of making false and calumnious statements affecting the character of an officer whose conduct might be under investigation. If there were anything that could be conceived as deserving of punishment, it was such conduct as he had described. He doubted whether it would not be less wicked to make those false statements on oath; and was strongly of opinion that a clause should be inserted which would govern statements made before Courts of Inquiry.

Colonel STANLEY was inclined to think that the word "calumnious" would cover statements which, although they were damaging to the character of the person accused, might be made in perfect good faith.

Mr. E. JENKINS, having another Amendment on the Paper with reference to this subject, was willing to withdraw the present Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Offences in relation to Courts martial.

Clause 28 (Offences in relation to courts martial).

Mr. HERSCHELL moved, in page 11, line 19, after "oath," to insert "or make a solemn declaration."

Amendment *agreed to.*

Mr. HERSCHELL moved, in page 11, line 20, after "taken," to insert "or made."

Amendment *agreed to.*

Major O'BEIRNE moved, in page 11, line 29, after "court martial," to leave out "other than the court in relation to or before whom the offence was committed."

Mr. ASSHETON CROSS hoped the hon. and gallant Member would not press the Amendment.

Amendment, by leave, *withdrawn.*

Colonel ALEXANDER moved, in page 11, to leave out from line 34, to line 4, page 12, inclusive. In his opinion, this clause conferred upon the court too great powers.

Colonel STANLEY was ready to consider the question raised by the hon. and gallant Member for Ayrshire; but was for the present obliged to retain the words proposed to be left out.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 29 (Perjury or false declaration).

Mr. E. JENKINS moved, in page 12, line 8, after "evidence," to insert—

"When examined on oath or otherwise before a military court or commission of inquiry shall wilfully make false statements of fact, or untrue or scandalous statements, to the detriment of any officer or soldier."

His motive for moving the insertion of these words was the same as in the case of the previous Amendment which he had withdrawn.

Colonel STANLEY wished the hon. Member to understand that the Government accepted the principle contained in his Amendment, and agreed to consider it on Report.

Amendment, by leave, *withdrawn.*

Committee report Progress; to sit again upon *Monday* next.

SUMMARY JURISDICTION (*re-committed*) BILL—[Bill 138.]

(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley.*)

COMMITTEE.

Order for Committee read.

Sir WALTER B. BARTTELOT hoped that this Bill would not be proceeded with at that late hour. The measure certainly affected the rights and privileges of the people in many ways; and, in the interests of the whole community, it ought not to be pressed forward at a time which gave no opportunity for considering the Amendments which had been placed upon the Paper.

MR. ASSHETON CROSS said, there was no reason why the Bill should be held over. The clauses had been considered and unanimously approved by a Select Committee appointed at the beginning of the Session. He was, however, ready to report Progress when the formal parts of the Bill had been taken.

MR. HOPWOOD hoped the hon. and gallant Baronet would yield to the appeal of the Home Secretary, and allow the Bill to go into Committee.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title of Act) *agreed to.*

Clause 2 (Application of Act) *agreed to.*

Clause 3 (Commencement of Act) *agreed to.*

Committee report Progress; to sit again *To-morrow.*

DOGS REGULATION (IRELAND) ACT (1865) AMENDMENT BILL—[BILL 129.]

(*Mr. James Lowther, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

MR. J. LOWTHER said, the object of the Bill was to protect property in Ireland from the ravages committed by dogs. He had received numerous communications from Grand Juries, owners of property, farmers, and persons interested in land in Ireland, seeking some protection against this great nuisance. The tax on dogs in England had been recently raised to 7*s.* 6*d.*, but in Ireland it remained at 2*s.* 6*d.*; and this low tax had been found to be productive of the very great nuisance to which he had referred, and which had led to the owners of sheep making strong representations in favour of legislation upon the subject. He begged leave to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Lowther.*)

MAJOR NOLAN expressed his great surprise at the Motion for the second reading of this Bill, against which he protested on the ground that the Government had committed a gross breach of faith in breaking their promise that it should not be brought on for three weeks.

MR. J. LOWTHER rose to Order. He was not aware that the Bill had been put down for an earlier day than had been arranged, and therefore would at once postpone the second reading to Thursday next if the hon. and gallant Gentleman wished it.

Second Reading *deferred* till *Thursday* next.

MARRIAGES CONFIRMATION (HER MAJESTY'S SHIPS) BILL.

(*Mr. Algernon Egerton, Mr. William Henry Smith, Sir Massey Lopes, Mr. Staveley Hill.*)

[BILL 149.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. A. F. Egerton.*)

MR. COURTNEY thought the measure required a little further consideration before it was passed into law. The object of the Bill was to make valid certain marriages contracted on board Her Majesty's ships. It was perfectly clear, from the mere fact that doubts were recited in the Preamble concerning the validity of these marriages, that those also contracted on board vessels other than Her Majesty's ships, and as was usual entered in the log books, would, inferentially, be left invalid. Now, if doubt ought to be removed with reference to the former marriages—and he confessed that serious doubt existed with regard to them—it ought to be removed equally with respect to marriages contracted under similar circumstances in the Mercantile Marine; and to this he could conceive there could be no serious objection. Again, there was another question of policy involved in the Bill. For it was clear that if the Bill were passed all future marriages contracted under similar circumstances would be held to be invalid, and circumstances were constantly arising under which such marriages ought to be contracted and would be formally contracted. The Bill, therefore, ought to lay down certain simple provisions, subject to which these marriages might be legally contracted, whether on board Her Majesty's ships or not. He begged to move that the Bill be re-committed, for the purpose of inserting therein provisions extending it to and confirming marriages contracted in ships other than Her Majesty's ships; and also for rendering valid all similar marriages in the future as well as in the past. He did not know what might be the opinion of the Law Officers of the Crown upon this subject; but he could not conceive how they should object to the first part of his proposition. The second part might be a matter of more difficulty; and to describe under what conditions these marriages should be valid in future would require a great deal more consideration. With regard to past marriages on board ships other than Her Majesty's ships, which were not unfrequently contracted, he thought the retrospective validity given by the Bill should be extended to them also. It might very well be that persons of English origin and domicile going through the forms described were not *de jure* married; but it would be difficult in those of Scotch origin and domicile; and, in his opinion, the presumption was obviously in favour of the validity of their marriages. Relying on the justice of validating these marriages, so far as they were performed on board other than Her Majesty's ships, he would be glad to hear that Her Majesty's Government were willing to assent to his proposition.

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the word "re-committed,"—(*Mr. Courtney,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) explained that the measure was simply intended to validate certain marriages which had been contracted *boná fide* on board Her Majesty's ships under the belief of their legality. Although some doubt existed some time ago, there was now no doubt whatever as to the law, for proceedings in the House of Lords had resulted in the decision that marriages of this sort, contracted in the absence of a priest, were invalid. No doubt, therefore, existed that marriages contracted under similar circumstances on board merchant ships were invalid.

SIR CHARLES W. DILKE could not think the measure ought to be discussed in so thin a House as the present, considering that it had reached so late a stage as the third reading; and, therefore, he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Charles W. Dilke.*)

SIR JOSEPH M'KENNA explained that in the early ages of the Church marriages were valid, although ratified without any interposition of the clergy, if contracted by persons free to marry; but the Council of Trent, seeing that the exemptions were abused in some places, invalidated all marriges conducted in future in the absence of a priest in any place where the decree of the Council had been proclaimed. The decree of the Council, however, was never proclaimed in Scotland. The reason, therefore, why such marriages were valid in Scotland was that the laws of the Council had never been proclaimed in that country, and marriage without the sacred rite continued as effective as in ancient times. The same principle might, perhaps, apply to marriages on board ship, but he offered no opinion on that point.

MR. A. F. EGERTON said, that the Bill was introduced for the purpose of enabling a person to receive a considerable sum of money to which he was justly entitled, but which he could not receive until the Bill was passed. The hon. Member for Liskeard wished to make use of this Bill, introduced by the Admiralty, to alter the Law of Marriage. This proposal was of a very extraordinary character, for the Solicitor General had just pointed out that there was no doubt whatever with regard to the present state of the law. He did not think the House would consent to such a proceeding as that suggested by the hon. Member, because, if the Law of Marriage needed alteration, a Bill should be brought in for that purpose. He was far from saying that the Law of Marriage should not be altered, and in Scotland, perhaps, it might be altered with advantage; but he certainly could not consent that the proper way to alter the law was by a side wind. Under these circumstances, he trusted that the hon. Baronet (Sir Charles W. Dilke) would withdraw his Motion, and allow the Bill to be read a third time.

MR. RITCHIE desired to know whether the Bill was only intended to legalize marriages which had taken place on board Her Majesty's ships? If that were so, it was an unfair and unjust measure. He saw no reason why the Bill should not also legalize marriages which had taken place on board merchant ships, under the same impression of their legality which operated in the case of those contracted on board Her Majesty's ships.

MR. HOPWOOD thought that what they had heard justified his hon. Friend (Mr. Courtney) in making his Motion for re-committal, as well as the Motion of the hon. Baronet (Sir Charles W. Dilke) for the adjournment of the debate. The hon. Member for Liskeard had certainly raised a fair doubt that there was something intended affecting the Law of Marriage which required very careful consideration—at any rate, so far as marriages contracted on board Scotch merchant vessels were concerned—and, therefore, as only one evening would be lost by the adjournment of the debate, he trusted the hon. Baronet would press his Motion for adjournment.

MR. COURTNEY pointed out that the Bill was not for the purpose of validating a particular marriage, but was perfectly general in its application affecting all marriages contracted on board Her Majesty's ships. But it was the fact that marriages had been contracted on board other ships as well, under the same belief that existed in the former case—that they were valid—and he had heard no reason why the Bill should not be extended to them. The Solicitor General had not touched upon that point at all; but had confined himself to pointing out the law as declared in the House of Lords—namely, that the presence of the priest was a necessary ingredient in marriages, and in that case the parties were of Irish domicile. He thought that more time was necessary to allow them to consider the very serious principle which the Bill involved.

MR. WHITWELL said, the Solicitor General had informed the House that the recent decision in the House of Lords upon a special case had made this legislation necessary. Now, if that recent decision altered the Law of Marriage generally, it was very clear that the question before the House was a much larger one than hon. Members at first imagined; and it was, therefore, important that it should be maturely considered. He was sure the hon. and learned Solicitor General would appreciate that suggestion; for it was well known that the law on the subject was very obscure, and that the opinion of gentlemen resident in Scotland was that a marriage on board a steamer within the territory of Scotland would, in fact, be legal. It was most desirable that the law should be cleared up, and that public attention should be drawn to the subject. He hoped the House would agree to the adjournment of the debate.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) pointed out to the hon. Member for Liskeard that there was no distinction between a British and Scotch ship upon the high sea.

MR. ORR-EWING hoped the Motion for adjournment would be withdrawn.

Question put.

The House *divided*:—Ayes 22; Noes 47: Majority 25.—(Div. List, No. 82.)

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. HOPWOOD hoped that the Government would listen to the calm appeal addressed to them by the hon. Member for Liskeard. The House was entitled to a little further consideration of the measure, which was one that could be taken up at any time; and they, therefore, trusted the Government would agree to the adjournment of the House, which he begged to move.

Motion made, and Question put, "That this House do now adjourn."—*(Mr. Hopwood.)*

The House *divided*:—Ayes 19; Noes 49: Majority 30.—(Div. List, No. 83.)

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. DILLWYN thought it unreasonable, at that time, to proceed with the Bill, which raised such very important issues. The House had been told on one side that those marriages had not been performed in merchant ships; on the other hand, the hon. Member for Liskeard had said they had been performed. But although the Solicitor General said they had not, he could not say that they would not be performed. He (Mr. Dillwyn) had never known a Bill hurried through in the same way as this Bill had been. As there had been no actual discussion on the measure last evening, he thought that another opportunity should be given, and with that view he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

THE CHANCELLOR OF THE EXCHEQUER thought that in view of the lateness of the hour and the wishes of some hon. Members, it would be wise to agree to the adjournment of the debate. At the same time, he wished to point out that the case which had been brought forward was one that admitted of no doubt as to the facts. Under such circumstances, it was usual to afford relief to parties who were innocent; and he trusted that the House would proceed, in the present instance, with despatch. If the hon. Member (Mr. Dillwyn) insisted, the Government were willing to adjourn the debate.

Question put, and *agreed to.*

Debate *adjourned* till *To-morrow.*

SUGAR INDUSTRIES.

NOMINATION OF SELECT COMMITTEE.

MR. ISAAC opposed the nomination of the Committee on the ground that he had not had an opportunity of considering the names which had been proposed. He also desired the opinion of Mr. Speaker upon the following point:—Some few days ago he had stated to the Clerk at the Table that it was his intention to oppose the nomination of this Committee; but he had been somewhat surprised to find that the Papers issued contained no Notice of his Motion. On pointing out the omission, he had been told that he had given Notice of opposition some days before the names were made known, and, until that was done, his Notice of opposition could not appear. He asked in what way hon. Members were to know with certainty when a Committee was going to be nominated, and in what way they were to announce to the other Members of the House their intention to oppose the nomination other than by giving Notice at the Table?

MR. SPEAKER: It is obvious that no Notice of opposition to names could be received until those names were before the House.

SIR CHARLES W. DILKE was disposed to agree with the view expressed by the hon. Member for Nottingham (Mr. Isaac), that the Committee was not one which ought to be nominated that evening. The names on the Paper were far too favourable, in his opinion, to the sugar interest.

MR. RITCHIE asked whether the mere fact of an hon. Member rising in his place to object to a Motion being proceeded with was a sufficient reason for its postponement?

MR. SPEAKER: If the hon. Member for the Tower Hamlets (Mr. Ritchie) will refer to the Resolution with regard to Opposed Business, he will see at once that it applies to the present Motion. The words of the Resolution are these—

> "That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock, with respect to which Order or Notice of Motion a notice of opposition or Amendment shall have been printed in the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called."

Nomination *postponed.*

WEST INDIA RELIEF COMMISSION [LOANS, &C.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the determination of the West India Relief Commission, the transfer of its powers to the Public Works Loan Commissioners, and the remission of certain sums remaining unpaid in respect of Loans by the said Commission; also the payment, out of moneys to be provided by Parliament, of any sums at present in the hands of the West India Relief Commissioners which may hereafter be claimed by the persons entitled thereto.

Resolution to be reported *To-morrow.*

HARES (IRELAND) BILL.

On Motion of Mr. RICHARD POWER, Bill to provide for the preservation of Hares in Ireland, *ordered* to be brought in by Mr. RICHARD POWER, Colonel KING-HARMAN, Mr. SHAW, Mr. HERBERT, and Mr. FRENCH.

Bill *presented,* and read the first time. [Bill 165.]

House adjourned at half after One o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXLV.

THIRD VOLUME OF SESSION 1879.

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When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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[*cont.*

[*cont.*

Africa — South Africa — The Zulu War — Sir Bartle Frere—cont.
and that an offensive war should have been commenced without imperative and pressing necessity or adequate preparation; and this House further regrets that after the censure passed upon the High Commissioner by Her Majesty's Government in the Despatch of the 19th day of March 1879, the conduct of affairs in South Africa should be retained in his hands" (*Sir Charles W. Dilke*)
And which Amendt. was at end of Question add "and that a war of invasion was undertaken with insufficient forces, notwithstanding the full information in the possession of Her Majesty's Government of the strength of the Zulu Army, and the warnings which they had received from Sir Bartle Frere and Lord Chelmsford that hostilities were unavoidable" (*Colonel Mure*); Question again proposed, "That those words be there added;" Debate resumed *Mar* 31, 20; after long debate, Amendt. withdrawn
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Army Discipline and Regulation Bill

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General*)

c. *Clauses* 48 *and* 178, Question, Sir Alexander Gordon; Answer, Colonel Stanley *April* 7, 449

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Brand, Right Hon. H. B. W., (*see* Speaker, The)

Breach of Promise of Marriage
Moved, "That, in the opinion of this House, the action of Breach of Promise of Marriage ought to be abolished except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss" (*Mr. Herschell*) *May* 6, 1867
Amendt. to leave out from "That," and add "the injury sustained by Breach of Promise of Marriage cannot be weighed by the standard of pecuniary loss alone, and that the limitation of the action in the manner proposed by the Resolution would be very undesirable" (*Sir Eardley Wilmot*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 106, N. 65; M. 41 (D. L. 79)
Main Question put, and agreed to

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Bright, Mr. J., *Manchester*
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Brise, Colonel S. B. Ruggles-, *Essex, E.*
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Bristowe, Mr. S. B., *Newark*
Army Discipline and Regulation, Comm. 1535; *cl.* 1, 1543
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Valuation of Property, Comm. *cl.* 6, 1826

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Army Discipline and Regulation, Comm. *cl.* 3, Amendt. 1545, 1546; *cl.* 4, Amendt. 1547; *cl.* 6, Amendt. 1554; *cl.* 10, Amendt. 1968, 1974, 1985; *cl.* 15, Amendt. 1998; *cl.* 18, Amendt. 2012; *cl.* 19, 2028; *cl.* 20, Amendt. 2032

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Bulwer, Mr. J. R., *Ipswich*
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Burials—Overcrowding in Churchyards
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Burt, Mr. T., *Morpeth*
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- Sunday (Opening of Museums, &c.), Res. 1702

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- Railways (Ireland), Res. 971, 976
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Cartwright, Mr. W. C., *Oxfordshire*
- Parliament—Business of the House, 1899
- Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 525

Cecil, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.*
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Chamberlain, Mr. J., *Birmingham*
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- Treaty of Commerce, 1873—French Duty on Mineral Oils, 441
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- Ways and Means—Financial Statement, Comm. 275, 297, 304, 307, 308, 309, 368, 1349, 1350, 1733, 1737, 1744, 1750
- Ways and Means—The Revenue—Customs and Excise, 985

CHAPLIN, Mr. H., *Lincolnshire, Mid.*
- Africa, South—Zulu War—Sir Bartle Frere, Res. 93

Charity Commission
- Amendt. on Committee of Supply *April* 28, To leave out from "That," and add "the maintenance of the expenses of the Charity Commission should no longer be defrayed out of the Consolidated Fund without some equivalent amount being contributed by the charities under its jurisdiction, and that such means can be alone provided by removing the exemption of these charities from the income tax or imposing some tax on them corresponding to the Succession Duty, from the operation of which they are also exempt" (*Mr. James*) *v.*, 1187; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
- Amendt. to leave out from "That," and add "the maintenance of the expenses of the Charity Commission should be referred to a Select Committee for consideration, and to report by what means other than by a charge on the Consolidated Fund these expenses might be best defrayed" (*Mr. Pell*) *v.*, 1213; Question proposed, "That the words, &c.;" after short debate, Question put; A. 72, N. 22; M. 50 (D. L. 74)
- *Proposed Scheme for Defraying Expenses*, Question, Mr. W. H. James; Answer, Sir Henry Selwin-Ibbetson *May* 5, 1717
- *The Twenty-sixth Report*, Question, Sir Charles W. Dilke; Answer, Mr. Assheton Cross *May* 5, 1717

CHARLEY, Mr. W. T., *Salford*
- Criminal Code (Indictable Offences), 2R. 1766

CHILDERS, Right Hon. H. C. E., *Pontefract*
- Indian Finance, 1104, 1503, 1504
- Inland Revenue—Tea Duty, 261
- National Expenditure, Res. 1318
- Turkey—Asia Minor—Consular Appointments, 1713
- Ways and Means—Financial Statement, Comm. 297, 1747

Children's Dangerous Performances Bill [H.L.] (*The Earl De La Warr*)
- *l.* Presented; read 1ª* *April* 29 (No. 64)

Chili and Peru—See title *America, South*

COCHRANE, Mr. A. D. W. R. Baillie-*Isle of Wight*
- Hypothec Abolition (Scotland), Comm. Amendt. 169

COLE, Mr. H. T., *Penryn, &c.*
- Army Discipline and Regulation, Comm. *cl.* 6, 1552
- Breach of Promise of Marriage, Res. 1881
- Criminal Code (Indictable Offences), Leave, 329; 2R. 1766
- Criminal Law—Thomas Moran, Case of, 1242
- Prosecution of Offences, Comm. *cl.* 3, 1562, 1563, 1564

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
- Glasgow Municipal Extension, &c.—Special Report, 1728

COLLINS, Mr. E., *Kinsale*
- Voters Registration (Ireland), 2R. 936

COLTHURST, Colonel D. La Zouche, *Cork Co.*
- Irish Land Act, 1870, Res. 1629
- Voters Registration (Ireland), 2R. 940, 944

Companies Acts Amendment Bill (*Sir John Lubbock, Mr. Coope, Mr. Herschell, Sir Charles Mills*)
- *c.* Read 2º, after short debate *April* 22, 921
  - Committee—R.P. *May* 1, 1567 [Bill 102]
  - Committee*; Report *May* 2
  - Read 3º* *May* 5

Contagious Diseases Acts—The Select Committee
- Questions, Sir Harcourt Johnstone, Mr. J. Tremayne; Answer, Colonel Loyd Lindsay *May* 5, 1715

Contagious Diseases (*Animals*) *Act*, 1878
- *American Pigs*, Question, Colonel King-Harman; Answer, Lord George Hamilton *May* 8, 1966
- *Cattle from the United States*, Question, Mr. Giles; Answer, Lord George Hamilton *April* 7, 447
- *Travelling Inspectors*, Question, Mr. J. W. Barclay; Answer, Lord George Hamilton *May* 1, 1494

Contagious Diseases (Animals) Act, 1878—*Transit of Animals—The Rules and Regulations*
Moved that there be laid before the House, Copies of the Rules and Regulations issued by the Privy Council on the subject of the Contagious Diseases (Animals) Act, 1878 (*The Earl De La Warr*) *April* 28, 1218; after short debate, Motion withdrawn

Convention (Ireland) Act Repeal (No. 2) Bill (*Sir Joseph M'Kenna, Mr. Patrick Smyth, Mr. O'Shaughnessy*)
c. Read 1° * *Mar* 31 [Bill 116]
Read 2° *April* 21, 817
Committee *; Report *May* 5
Considered * *May* 7
Read 3° * *May* 8

Co-operative Stores
Committee nominated; List of the Committee *April* 1, 168

Corry, Mr. J. P., *Belfast*
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County Courts Bill [H.L.]
(*The Lord Chancellor*)
l. Select Committee nominated; List of the Committee *April* 3, 258
Report of Select Comm. *April* 24 (No. 61)
Bill reported * *April* 24 (No. 60)
Moved, "That the House do now resolve itself into Committee" *April* 28, 1239; on Question agreed to; Committee
Report * *May* 1 (No. 62)
Read 3ª * *May* 2

Courtney, Mr. L. H., *Liskeard*
Africa, South—Zulu War—Cetewayo, Submission of, 453
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Marriages Confirmation (Her Majesty's Ships), 2R. 1778; 3R. Amendt. 2050, 2053
Prosecution of Offences, Comm. *cl.* 3, 1092, 1093
Sugar Industries, Res. 884

Courts of Justice Building Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª * *April* 3 (No. 44)
Order for 2R. discharged; Bill withdrawn *April* 24, 966

Courts of Justice Building Act (1865) Amendment Bill
(*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*)
c. Ordered; read 1° * *May* 5 [Bill 156]

Cowen, Mr. J., *Newcastle-on-Tyne*
Boiler Explosions, Res. 1409
Municipal Corporations (Property Qualification Abolition), 2R. 219

Cowper, Earl
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Cranbrook, Viscount (Secretary of State for India)
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Marriage with a Deceased Wife's Sister, 2R. 1802
Navy—Heavy Gun Committee, 253
Railways (Ireland), Res. Amendt. 975

Criminal Code (Indictable Offences) Bill
(*Mr. Attorney General, Mr. Secretary Cross, Mr. Solicitor General, Mr. Attorney General for Ireland*)
c. Ordered that the Orders of the Day subsequent to Ways and Means be postponed until after the Motion for leave to bring in the Criminal Code (Indictable Offences) Bill (*The Chancellor of the Exchequer*) *April* 3, 275
Motion for Leave (*Mr. Attorney General*) *April* 3, 310; after debate, Question put, and agreed to; Bill ordered; read 1° *
Read 2°, after debate *May* 5, 1750 [Bill 117]

Criminal Law
Miscellaneous Questions
Case of Edward Harris, Question, Dr. Kenealy; Answer, Mr. Assheton Cross *Mar* 31, 15
Case of Frederick Taylor, Question, Mr. Boord; Answer, Mr. Assheton Cross *May* 2, 1595
Case of Thomas Moran, Question, Dr. Kenealy; Answer, Mr. Assheton Cross *April* 25, 1101; Questions, Colonel Beresford, Mr. Cole; Answers, Mr. Assheton Cross *April* 28, 1242; Question, Dr. Kenealy; Answer, Mr. Assheton Cross *May* 5, 1720
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The "Tichborne Demonstration," Question, Dr. Kenealy; Answer, Mr. Assheton Cross *April* 17, 518

[See title *Prisons* (*England*) *Act*]

Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*

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Cuninghame, Sir W. J. M., *Ayr, &c.*
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(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Resolutions in Committee * *April* 3
Resolutions reported, and agreed to; Bill ordered * *April* 4
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Forced Labour—The Ordinance, Question, Mr. W. E. Forster; Answer, Mr. Bourke *April* 4, 367; Question, Mr. Goldney; Answer, Mr. Bourke *May* 5, 1711
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Dease, Mr. E., *Queen's Co.*
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DILKE, Sir C. W., *Chelsea, &c.*
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DILLWYN, Mr. L. L., *Swansea*
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Parliament—Select Committees (Nomination), Motion for a Committee, 846
Prosecution of Offences, Comm. *cl.* 3, Motion for reporting Progress, 1093, 1094, 1352
Royal Parks and Pleasure Gardens, 570
Supply—Exchequer and Audit Department, 734, 736
House of Commons Offices, 674, 675
Lord Privy Seal, Office of, 685
Mint and Coinage, 767, 770
National Debt Office, 781
Parks and Pleasure Gardens, Amendt. 625, 629; Amendt. 630
Privy Council for Trade, &c., Motion for reporting Progress, 692, 694
Report, 923
Valuation of Property, Comm. Amendt. 1668, 1671

Dispensaries (Ireland) Bill (*Mr. Bruen, Mr. Downing, Mr. Mulholland, Dr. Ward*)
c. Read 2o* *April* 30 [Bill 66]

DODDS, Mr. J., *Stockton*
Bankrupts—Debtors Act, 1869, 978
Prosecution of Offences, Comm. *cl.* 3, 1352, 1353
Ways and Means—Financial Statement, Comm. 301

DODSON, Right Hon. J. G., *Chester*
Clare County Writ, 1135
Great Britain and Turkey—Convention of Defensive Alliance—Island of Cyprus, 263
Irish Land Act, 1870, Res. 1623
National Expenditure, Res. 1056
Turkey—Asia Minor—Consular Appointments, 1713
Ways and Means—Dog Licences, 698
Ways and Means — Financial Statement, Comm. 309

Dogs Regulation (Ireland) Act (1865) Amendment Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Mr. James Lowther*) *April* 21, 817; after short debate, Motion agreed to; Bill ordered; read 1o* [Bill 129]
Question, Major Nolan; Answer, Mr. J. Lowther *April* 24, 985
2R. deferred, after short debate *May* 8, 2049

DORCHESTER, Lord
Africa, South—Zulu War—Army Hospital Corps, 4, 5
Army—Militia, Motion for a Select Committee, 1237

Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation Bill (*The Lord Henniker*)
l. Read 2a* *April* 1 (No. 32)
Committee*; Report *April* 3
Read 3a* *April* 4

DUFF, Mr. R. W., *Banffshire*
Army—Widows of Soldiers Killed in Action, 264
Hypothec Abolition (Scotland), Comm. *cl.* 1, 177

DUNDAS, Hon. J. C., *Richmond*
Prosecution of Offences, Comm. *cl.* 3, 1352

DUNRAVEN, Earl of
Army—Militia, Motion for a Select Committee, 1234
Trade—Free Trade and Reciprocity, Res. 1383

Duration of Parliament Bill
(*Mr. John Holms, Mr. Joseph Cowen, Dr. Cameron, Mr. Collins, Mr. Henry Samuelson*)
c. Bill withdrawn* *April* 18 [Bill 36]

DYKE, Sir W. H. (Secretary to the Treasury), *Kent, Mid*
Parliament—Select Committees (Nomination), Motion for a Committee, 851
Sugar Industries, Res. 919

East India Loan (£2,000,000)
Question, Mr. Childers; Answer, The Chancellor of the Exchequer *April* 25, 1104; Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *May* 6, 1816

Education Department
Intermediate Education (*Ireland*) *Act*, 1878, Question, Mr. Kavanagh; Answer, Mr. J. Lowther *April* 7, 445
The New Code, Question, Mr. James Stewart; Answer, Lord George Hamilton *Mar* 31, 16

Elementary Education Act
Children in Board Schools—Free Breakfasts, Question, Mr. Heygate; Answer, Mr. Sclater-Booth *May* 1, 1492
London School Board—Temporary Loans, Question, Sir James Lawrence; Answer, Mr. Sclater-Booth *Mar* 31, 9
Religious Education of Children in Unions, Question, Sir Matthew Wilson; Answer, Mr. Sclater-Booth *May* 1, 1496
School Boards, Question, Mr. J. R. Yorke; Answer, Lord George Hamilton *April* 18, 605

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
Marriages Confirmation (Her Majesty's Ships), Leave, 1571; 2R. 1673, 1779, 1780; 3R. 2052

Egerton, Hon. Admiral F., *Derbyshire, E.*
Glasgow Municipal Extension, &c.—Breach of Privilege, 1581; Special Report, Amendt. 1724
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Egypt
Miscellaneous Questions
Financial Changes—Dismissal of Mr. Rivers Wilson and M. Blignières, Questions, Observations, Sir Julian Goldsmid, Mr. E. Jenkins; Reply, The Chancellor of the Exchequer *April* 17, 519; Questions, Sir Julian Goldsmid; Answers, The Chancellor of the Exchequer *April* 21, 699; *April* 24, 981; Questions, Sir Julian Goldsmid, The Marquess of Hartington; Answers, The Chancellor of the Exchequer, Mr. Bourke *April* 28, 1246; —*Action of the Controllers*, Question, Captain Price; Answer, Mr. Bourke *May* 5, 1709
Rumoured Deposition of the Khedive, Question, Sir Julian Goldsmid; Answer, The Chancellor of the Exchequer *April* 25, 1100
Taxation, Question, Mr. Ralli; Answer, Mr. Bourke *Mar* 31, 11
The Papers, Question, Sir George Campbell; Answer, Mr. Bourke *April* 21, 703; Question, Observations, The Marquess of Lansdowne, Earl Granville; Replies, The Marquess of Salisbury, The Earl of Beaconsfield; Observations, The Earl of Kimberley *May* 1, 1481

Elcho, Lord, *Haddingtonshire*
Africa, South—Zulu War—Sir Bartle Frere, Res. 123
Treaty of Berlin—Eastern Roumelia, 453

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Viscount Cranbrook*)
l. Presented; read 1ª* *April* 4 (No. 47)
Read 2ª* *April* 28
Committee*; Report *May* 6
Read 3ª* *May* 8

Elementary Education Provisional Orders Confirmation (Brighton and Preston, &c.) Bill [H.L.] (*The Viscount Cranbrook*)
l. Presented; read 1ª* *April* 4 (No. 48)
Read 2ª* *April* 28
Committee* *May* 6
Report* *May* 8

Ellenborough, Lord
Africa, South—Zulu War—Importation of Arms and Munitions, 1094, 1096

Elphinstone, Lord
Navy—Heavy Gun Committee, 251

Employers' Liability Bill—Government Employés
Question, Mr. Bruce; Answer, The Attorney General *Mar* 31, 10

Errington, Mr. G., *Longford Co.*
Irish Land Act, 1870, Res. 1616

Estcourt, Mr. G. B. S., *Wiltshire, N.*
Army—Auxiliary Forces—Yeomanry Adjutants, 1403

Ewing, Mr. A. Orr-, *Dumbartonshire*
Boiler Explosions, Res. 1419
Marriages Confirmation (Her Majesty's Ships), 3R. 2054

Exchequer, Chancellor of the (*see* Chancellor of the Exchequer)

Fawcett, Mr. H., *Hackney*
East India (Duties on Cotton Goods), Res. 423; Motion for Adjournment, 431
India—Afghanistan—The War—Advance on Cabul, 516, 838
India (Finance, &c.)—£2,000,000 Loan, 1816
Parliament—Easter Recess, 271, 369; Motion for Adjournment, 370, 373

Fitzmaurice, Lord E. G., *Calne*
Parliament—Business of the House, Motion for Adjournment, 1898, 1899, 1903
Supply—Lord Privy Seal, Office of, 681
Treaty of Berlin—Greek Frontier, 1817
Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 534
Tring Poor's Land, 2R. 602
Valuation of Property, Comm. *cl.* 10, 1865

FLOYER, Mr. J., *Dorsetshire*
Valuation of Property, Comm. *cl.* 8, 1855

FOLJAMBE, Mr. F. J. S., *East Retford*
Inland Revenue—Ecclesiastical Commissioners, 1245

FORBES, Lord
Habitual Drunkards, 2R. 1956

Foreign and Colonial Policy of the Government
Notice of Motion, Sir Wilfrid Lawson *April* 30, 1428; Observations, Question, The Marquess of Hartington; Reply, Sir Wilfrid Lawson *May* 5, 1718

Foreign Lotteries Act
Question, Mr. Anderson; Answer, Mr. Assheton Cross *April* 1, 134

Foreign Policy of the Government
Notice of Motion, The Duke of Argyll *May* 1, 1480

FORSTER, Right Hon. W. E., *Bradford*
Africa, South—Zulu War—Despatches, 833, 834
Sir Bartle Frere's Instructions, 1714, 1715
Clare County Writ, 1177
Cyprus, Island of—Forced Labour—The Ordinance, 367
Medical Act Amendment—Medical Council, 1724
Parliament—Business of the House, 1901
Public Business, 1595
Parliament—Select Committees (Nomination), Motion for a Committee, 856
Sugar Industries, Res. 906; Amendt. 916
Turkey—Eastern Roumelia—Joint Occupation, 524

FORSYTH, Mr. W., *Marylebone*
Breach of Promise of Marriage, Res. 1879
Clare County Writ, 1170
India—Afghanistan—The War—10th Hussars, 274

FORTESCUE, Earl
Poor Law Amendment Act (1876) Amendment, Comm. Preamble, 1576; *cl.* 1, Amendt. 1577, 1578, 1579

France
Passports, Question, Sir Frederick Perkins; Answer, Mr. Bourke *April* 7, 437
The Commercial Treaty — The "Surtaxe d'Entrepôt," Question, Mr. Mac Iver; Answer, Mr. Bourke *April* 25, 1099
Treaty of Commerce, 1873—French Duty on Mineral Oils, Question, Mr. W. Holms; Answer, The Chancellor of the Exchequer *April* 7, 440

FRASER, Sir W. A., *Kidderminster*
Army Discipline and Regulation, Comm. 1518, 1530
Public Health Act—Emily Hulbert, Case of, 1240

Free Trade and Reciprocity
Moved to resolve, "1. That this House, fully recognizing the benefits which would result to the community if a system of real free trade were universally adopted, is of opinion that it is expedient in all future commercial negotiations with other countries to advocate a policy of Reiprocity between all inter-trading nations; and
2. "That the long continued depressed state of the commercial, manufacturing, and agricultural interests should form the subject of a full Parliamentary inquiry, with the view of ascertaining the causes, the best means of redress, and of counteracting the injurious effects of the excessive tariffs levied by foreign nations against the produce and manufactures of this country" (*The Lord Bateman*) *April* 29, 1356; after debate, on Question? resolved in the negative

FRENCH, Hon. C., *Roscommon*
Volunteer Corps (Ireland), 2R. 1929

Friendly Societies Act (1875) Amendment Bill (*The Earl of Beaconsfield*)
l. Read 2ª* *April* 22 (No. 25)
Committee*; Report *April* 24
Read 3ª* *April* 25

GALLOWAY, Earl of
Army—Brigade Depôts, Address for a Return, 128
Rivers Conservancy, Report, 1487

Game Laws Amendment (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1º* *April* 30 [Bill 143]
Read 2º, after short debate *May* 2, 1672
Order for Committee read *May* 5, 1775
Moved, "That it be an Instruction to the Committee, That they have power to extend the operation of the Bill to the whole of the United Kingdom" (*Mr. P. A. Taylor*); Motion agreed to; Committee—R.P.

Gas and Water Provisional Orders Confirmation Bill
(*Mr. John G. Talbot, Viscount Sandon*)
c. Ordered; read 1º* *April* 25 [Bill 136]
Read 2º* *May* 8

General Police and Improvement (Scotland) Provisional Order (Inverness) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Read 2º* *April* 1 [Bill 112]
Committee*; Report *April* 17
Read 3º* *April* 18
l. Read 1ª* (*Lord Steward*) *April* 21 (No. 56)
Read 2ª* *April* 29
Committee*; Report *May* 1
Read 3ª* *May* 2

General Police and Improvement (Scotland) Provisional Order (Paisley) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Read 2°* *April* 1 [Bill 110]
Committee *; Report *April* 17
Read 3°* *April* 18
l. Read 1ª* (*Lord Steward*) *April* 21 (No. 57)
Read 2ª* *April* 29
Committee *; Report *May* 1
Read 3ª* *May* 2

German Empire—Insult to a British Subject, Mr. W. Campbell
Question, Mr. Anderson; Answer, Mr. Bourke *April* 28, 1241

Gibson, Right Hon. E., (Attorney General for Ireland), *Dublin University*
Bills of Sale (Ireland), 2R. 960
Clare County Writ, 1151
Jurors Remuneration (Ireland), Res. 1891, 1892
Municipal Franchise (Ireland), 2R. 960
Parliament—Business of the House, 1899
Royal Hibernian Military School, 440
Vaccination Acts (Ireland) Amendment, 2R. 502
Volunteer Corps (Ireland), 2R. 1932
Voters Registration (Ireland), 2R. 941, 944

Giffard, Sir H. S. (see Solicitor General, The)

Giles, Mr. A., *Southampton*
Contagious Diseases (Animals) Act—Cattle from the United States, 447
Supply—Harbours, &c. under the Board of Trade, 657

Gladstone, Right Hon. W. E., *Greenwich*
Charity Commission, Res. 1206
India—British Indian Association, Calcutta, Petition presented, 1707
Irish Land Act, 1870, Res. 1622
National Expenditure, Res. 1270, 1338, 1341
Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 540
Ways and Means—Financial Statement, Comm. 295; Motion for reporting Progress, 1349, 1350, 1729, 1739
Wellington College, Motion for an Address, 142, 149, 151, 153

Glasgow Municipal Extension, &c. Bill—Breach of Privilege
c. Leave given to the Committee on the Glasgow Municipal Extension, &c. Bill to make a Special Report *May* 2
Special Report brought up, and read, 1581; Special Report to be taken into Consideration upon Monday next, and to be printed
Special Report read, and considered *May* 5, 1724
Moved, "That, having heard the Special Report of the Committee, the House is of opinion that a breach of privilege has been committed, and that the parties by whom the Petition in question was prepared are liable to be dealt with by the House in respect thereof, but that under the circumstances it is not necessary to proceed further in the matter" (*Admiral Egerton*); after short debate, Resolution agreed to

[*cont.*

Glasgow Municipal Extension, &c. Bill—Breach of Privilege—cont.

Goldney, Mr. G., *Chippenham*
Artizans' Dwellings Act (1868) Extension, 2R. 1940
Charity Commission, Res. 1201
Cyprus, Island of—Forced Labour, 1711
Valuation of Property, Comm. *cl.* 7, 1845

Goldsmid, Sir J., *Rochester*
Africa, South—Cape Colony—Sir Bartle Frere and Sir Henry Bulwer, 134
Clare County Writ, 437; Amendt. 1109, 1145
Cyprus—Mediterranean Islands, 12
Egypt—Financial Changes—Mr. Rivers Wilson and M. Blignières, Dismissal of, Motion for Adjournment, 519, 699, 700, 981, 1246
Egypt—Khedive, The—Rumoured Deposition, 1100
Parliament — Customs and Practice of the House—"Making a House," 1499
Public Business, 19, 20
Supply—Diplomatic and Consular Buildings, 662, 665, 666
House of Commons Offices, 669, 670, 675
Lord Privy Seal, Office of, 684
National Debt Office, 776, 779
Parks and Pleasure Gardens, 629
Privy Council for Trade and Subordinate Departments, 694
Turkey — Eastern Roumelia — Joint Occupation, 525

Gordon, Sir A., *Aberdeenshire, E.*
Army Discipline and Regulation—Clauses 48 and 178, 449
Army Discipline and Regulation, 2R. 463, 1504; Comm. 1519; *cl.* 1, Amendt. 1537, 1539, 1542, 1543; *cl.* 4, 1547; *cl.* 6, Amendt. 1553; *cl.* 8, 1560; *cl.* 10, 1968, 1970, 1973, 1985, 1986; *cl.* 11, Amendt. 1987, 1991, 1992, 1994; *cl.* 12, Amendt. 1996, 1997; *cl.* 15, 1999; *cl.* 16, 2002, 2003, 2004, 2005, 2006; *cl.* 17, 2010; *cl.* 19, 2024, 2027; Amendt. 2030, 2031; *cl.* 21, Amendt. 2033, 2035
Army Discipline (Annual) Act, 1245
Herring Fisheries, Report of the Committee, 704
Hypothec Abolition (Scotland), Comm. *cl.* 1, 179
Supply—Exchequer and Audit Department, 737, 739
Local Government Board, 755

Gordon, Mr. W., *Chelsea*
Valuation of Property, Comm. *cl.* 9, Amendt. 1857

Gorst, Mr. J. E., *Chatham*
Africa, South—Zulu War—Sir Bartle Frere, Res. 72

GOSCHEN, Right Hon. G. J., *London*
- National Expenditure, Res. Motion for Adjournment, 1086, 1250
- Parliament—Public Business, 270, 519
- Post Office Mail Contracts—Peninsular and Oriental Steam Navigation Company, 136
- Ways and Means—Financial Statement, Comm. 307, 368

GOURLEY, Mr. E. T., *Sunderland*
- National Expenditure, Res. 1302
- Russia—The Plague—Quarantine, 17
- Supply—Local Government Board, &c. Amendt. 744, 753

GOWER, Hon. E. F. L., *Bodmin*
- Sugar Industries, Res. 908

Grand Jury Law Amendment (Ireland) Bill
- Question, Mr. M. Brooks; Answer, Mr. J. Lowther *April* 3, 265

GRANTHAM, Mr. W., *Surrey, E.*
- Breach of Promise of Marriage, Res. 1883
- Criminal Code (Indictable Offences), Leave, 330; 2R. 1754
- National Expenditure, Res. 1079

GRANVILLE, Earl
- Africa, South — Zulu War — Miscellaneous Questions
  - Conditions of Peace—Telegrams, 1572
  - Despatches, 1355
  - Instructions to Sir Bartle Frere, 1781, 1784
- India—Afghanistan (Military Operations)—Advance on Cabul, 696
- Letterkenny Railway, Motion for Re-committal, 1788
- Poor Law Amendment Act (1876) Amendment, Comm. *cl.* 1, 1578
- Railways (Ireland), Res. 976
- Trade—Free Trade and Reciprocity, Res. 1396
- Treaty of Berlin—Performance, 1674, 1682

Great Seal Bill [H.L.]

(*The Lord Chancellor*)

l. Presented; read 1^{a}* *Mar* 31 (No. 38)
- Read 2^{a}* *April* 24
- Committee*; Report *April* 25
- Read 3^{a}* *April* 28

GREGORY, Mr. G. B., *Sussex, E.*
- Criminal Code (Indictable Offences), Leave, 331; 2R. 1759
- Supply—Exchequer and Audit Department, 728
  - House of Commons Offices, 670
  - Natural History Museum, Erection of, 650
  - Patent Law Amendment Act, &c. 788
- Ulster Tenant Right, 2R. 951
- Valuation of Property, Comm. *cl.* 8, 1857
- Volunteer Corps (Ireland), 2R. 1927

Habitual Drunkards Bill

(*The Earl of Shaftesbury*)

l. Read 2^{a}, aftert debate *May* 8, 1945 (No. 26)

Hall Marking (Gold and Silver)
- Minutes of the Evidence taken before the Select Committee on Silver and Gold Wares in Session 1856, and the Report of the Committee, referred to the Select Committee on Hall Marking (Gold and Silver) (*Sir Henry Jackson*) *April* 25

HALSEY, Mr. T. F., *Herts*
- Tring Poor's Land, 2R. 592

HAMILTON, Lord C. J., *Lynn Regis*
- Railways—Court of Railway Commissioners, 1403

HAMILTON, Lord G. F. (Vice President of the Committee of Council on Education), *Middlesex*
- Contagious Diseases (Animals) Acts—Miscellaneous Questions
  - American Pigs, 1966
  - Cattle from the United States, 447
  - Travelling Inspectors, 1495
- Education Department—New Code, 16
- Medical Act Amendment—Medical Council, 1724
- Public Health Act—Emily Hulbert, Case of, 1240
- Russia—Plague—Quarantine, 17
- School Boards, 605
- Supply—Charity Commission, 708
- Wellington College, Motion for an Address, 165

HANBURY, Mr. R. W., *Tamworth*
- Turkey—Russian Authorities in Eastern Roumelia, 1709, 1710

HANKEY, Mr. T., *Peterborough*
- Supply—Civil Service Commission, 719
  - Exchequer and Audit Department, 729
  - National Debt Office, 780, 781
- Ways and Means—Financial Statement, Comm. 297

HARCOURT, Sir W. G. V., *Oxford City*
- Africa, South—Zulu War—Sir Bartle Frere, Res. 76
- Army Discipline and Regulation, 2R. 477; Comm. 1512; *cl.* 1, 1540, 1542; *cl.* 2, Amendt. 1544, 1545; *cl.* 4, 1548, 1549, 1550, 1551; *cl.* 8, 1557; *cl.* 11, 1988, 1990, 1992, 1993; *cl.* 12, 1997; *cl.* 19, 2031; *cl.* 20, 2033; *cl.* 21, 2037, 2040; *cl.* 22, 2041
- Clare County Writ, 1142, 1145
- Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 564
- Volunteer Corps (Ireland), 2R. 1917
- Ways and Means, Comm. 1741
- Ways and Means—The Revenue—Customs and Excise, 985

HARDCASTLE, Mr. E., *Lancashire, S.E.*
East India (Duties on Cotton Goods), Res. Amendt. 394, 433, 435

Hares (Ireland) Bill
(*Mr. Richard Power, Colonel King-Harman, Mr. Shaw, Mr. Herbert, Mr. French*)
c. Ordered; read 1°* *May* 8 [Bill 165]

HARMAN, Colonel E. R., KING-, *Sligo*
Contagious Diseases (Animals) Act, 1878—American Pigs, 1966
Intoxicating Liquors (Ireland), 2R. 1463
Irish Land Act, 1870, Res. 1631
Parliament—Business of the House, 1901
Volunteer Corps (Ireland), 2R. 1905

HARRISON, Mr. J. F., *Kilmarnock, &c.*
United Kingdom Electric Telegraph Company, 1098

HARTINGTON, Right Hon. Marquess of, *New Radnor*
Africa, South—Zulu War—Sir Bartle Frere, Res. 96
Egypt—Financial Changes—Dismissal of Mr. Rivers Wilson, 1246
Foreign and Colonial Policy of the Government, Notice of Motion of Sir Wilfrid Lawson, 1718
Irish Land Act, 1870, Res. 1664
Parliament—Easter Recess, 373
University Education (Ireland), 1896

HAVELOCK, Sir H. M., *Sunderland*
Army—Militia Officers Appointed to the Line, 272
Army Discipline and Regulation, 2R. 473; Comm. Amendt. 1505, 1512, 1533; *cl.* 10, 1972, 1976, 1981; *cl.* 15, 1999; *cl.* 17, 2011; *cl.* 19, 2023, 2029; *cl.* 21, 2036
Army Discipline and Regulation—Military Courts of Inquiry, 1962

HAY, Admiral Sir J. C. D., *Stamford*
Army Discipline and Regulation, 2R. 480
Volunteer Corps (Ireland), 2R. 1909

HAYTER, Colonel Sir A. D., *Bath*
Army Discipline and Regulation, Comm. 1531; *cl.* 6, Amendt. 1552; *cl.* 11, 1990; *cl.* 16, 2000; *cl.* 21, 2040

HENNIKER, Lord
Trade with the United States of America, Motion for a Return, 130

HENRY, Mr. Mitchell, *Galway Co.*
Africa, South—Zulu War—Telegrams, 1594, 1595
Criminal Law—William Habron, Case of, 453
Local Government Board (Ireland), 1708
Municipal Corporations (Property Qualification Abolition), 2R. 240
National Expenditure, Res. 1303
Vaccination Acts (Ireland) Amendment, 2R. 509
Volunteer Corps (Ireland), 2R. 1915, 1922
Voters Registration (Ireland), 2R. 932, 933

HERBERT, Mr. H. A., *Kerry Co.*
Volunteer Corps (Ireland), 2R. 1924

HERMON, Mr. E., *Preston*
Boiler Explosions, Res. 1408
East India (Duties on Cotton Goods), Res. 398
National Expenditure, Res. 1295
Sugar Industries, Res. 908

Herring Fisheries, Commission—Report of the Committee
Question, Sir Alexander Gordon; Answer, The Lord Advocate *April* 21, 704

HERSCHELL, Mr. F., *Durham*
Army Discipline and Regulation, Comm. 1531; *cl.* 6, 1555, 1556; *cl.* 10, 1979; *cl.* 22, 2041; *cl.* 28, Amendt. 2047, 2048
Breach of Promise of Marriage, Res. 1867, 1887
Civil Service (India), 1098
Criminal Code (Indictable Offences), Leave, 338; 2R. 1760
Prosecution of Offences, Comm. *cl.* 2, 1090; *cl.* 3, Amendt. *ib.*, 1091; *cl.* 3, 1563
Valuation of Property, Comm. 1670

HEYGATE, Mr. W. U., *Leicestershire, S.*
Banking and Joint Stock Companies, Leave, 802
Elementary Education Act—Children in Board Schools, 1492
Joint Stock Banks—Limited Liability, 367
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HIBBERT, Mr. J. T., *Oldham*
Boiler Explosions, Res. 1420
East India (Duties on Cotton Goods), Res. 400, 434
Municipal Corporations (Property Qualification Abolition), 2R. 230
Parliament—Morning Sittings, 1505
Vacant Seats, 1964
Valuation of Property, Comm. *cl.* 6, 1831; *cl.* 7, 1845; *cl.* 8, 1850; *cl.* 10, 1863, 1864

HICKS, Mr. E., *Cambridgeshire*
Valuation of Property, Comm. *cl.* 7, Amendt. 1844

HILL, Mr. A. Staveley, *Staffordshire, W.*
Army Discipline and Regulation, Comm. *cl.* 1, 1539; *cl.* 4, 1550; *cl.* 17, 2007; *cl.* 19, 2024; *cl.* 21, 2036
Boiler Explosions, Res. 1415
Breach of Promise of Marriage, Res. 1883
Licensing Laws Amendment, 2R. 587
Valuation of Property, Comm. *cl.* 6, 1832; *cl.* 8, 1852, 1856; *cl.* 10, 1862

HOGG, Lt.-Colonel Sir J. M'GAREL-, *Truro*
Artizans' Dwellings Act (1868) Extension, 2R. 1941
Sugar Industries, Res. 913

HOLKER, Sir J. (*see* ATTORNEY GENERAL, The)

Holland, Sir H. T., *Midhurst*
Clare County Writ, 1175

Holms, Mr. J., *Hackney*
Customs Re-organization Scheme, 264
Turkey—Asia Minor—Consular Appointments, 1713

Holms, Mr. W., *Paisley*
Army Discipline and Regulation, 2R. 491
Treaty of Commerce, 1873—French Duty on Mineral Oils, 440
Volunteer Corps (Ireland), 2R. 1928

Home, Captain D. Milne, *Berwick*
Army Discipline and Regulation, 2R. 486

Hopwood, Mr. C. H., *Stockport*
Army Discipline and Regulation, 2R. 500; Comm. *cl.* 2, 1544; *cl.* 4, 1550; *cl.* 6, 1553; *cl.* 10, 1982, 1984; *cl.* 24, 2043
Criminal Code (Indictable Offences), Leave, 330; 2R. 1755
Marriages Confirmation (Her Majesty's Ships), 3R. 2053; Motion for Adjournment, 2054
Summary Jurisdiction, Comm. 2049
Supply—Local Government Board, &c. 758, 763
Patent Law Amendment Act, &c. 789
Vaccination Acts (Ireland) Amendment, 2R. Amendt. 502

Houghton, Lord
Marriage with a Deceased Wife's Sister, 2R. *1789, 1798
Army—Militia, Motion for a Select Committee, 1237

Hubbard, Right Hon. J. G., *London*
National Expenditure, Res. 1029
Valuation of Property, Comm. *cl.* 6, 1824, 1826; *cl.* 7, 1846

Huntly, Marquess of
Rivers Conservancy, Comm. 823; *cl.* 5, Amendt. 829; *cl.* 26, Amendt. 830

Hutchinson, Mr. J. D., *Halifax*
Sir Bartle Frere—Letter of the Queen, 1713

Hypothec Abolition (Scotland) Bill
(*Mr. Vans Agnew, Mr. Baillie Hamilton, Sir George Douglas, Colonel Alexander*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 1, 169; after short debate, Question put, and agreed to; Committee; Report [Bill 3]
Petition of Chamber of Agriculture, Edinburgh, Petition presented, General Sir George Balfour *April* 21, 697

India
Miscellaneous Questions
British Indian Association, Calcutta—Charges of the Afghan War, Petition presented (*Mr. Gladstone*); to lie on the Table *May* 5, 1707

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India—*cont.*
Civil Service (India), The—Petitions and Memorials, Question, Mr. Herschell; Answer, Mr. E. Stanhope *April* 25, 1098
Corporal Punishment in Mysore, Question, Mr. P. A. Taylor; Answer, Mr. E. Stanhope *April* 7, 455
Criminal Law—Use of Torture, Question, Mr. P. A. Taylor; Answer, Mr. E. Stanhope *April* 29, 1399
Direct Communication between Her Majesty and the Viceroy, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *Mar* 31, 9

Indian Finance, &c.
East India Loan (£10,000,000)—*The Adjourned Debate*, Questions, Mr. Childers; Answers, Mr. E. Stanhope *May* 1, 1503
East India Loan (£2,000,000), Question, Mr. Childers; Answer, The Chancellor of the Exchequer *April* 25, 1104; Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *May* 6, 1816
Loans, Question, Sir George Campbell; Answer, Mr. E. Stanhope *May* 8, 1958
Silver—The Exchange, Question, Mr. O'Donnell; Answer, Mr. E. Stanhope *May* 8, 1959

India — East India (Duties on Cotton Goods)
Amendt. on Committee of Supply *April* 4, To leave out from "That," and add "the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this Duty" (*Mr. Briggs*) *v.*, 375; Question proposed, "That the words, &c.;" after long debate, Question put; A. 24, N. 255; M. 231 (D. L. 58)
Question proposed, "That the words 'the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this duty' be added," instead thereof, 430
Amendt. to the said proposed Amendt. to leave out all the words after "Goods," and add "is a Tax which ought ultimately to be abolished; but that, in view of the present state of Indian finances, it is highly inexpedient to deal with the matter at the present moment" (*Mr. Ernest Noel*) *v.*
Question proposed, "That the words 'being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House' stand part of the proposed Amendment;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Fawcett*); Question put; A. 38, N. 242; M. 204 (D. L. 59)
Question again proposed; Moved, "That this House do now adjourn" (*Sir David Wedderburn*); after short debate, Motion withdrawn
Question put; A. 239, N. 19; M. 220 (D. L. 60)

[cont.

India—East India (*Duties on Cotton Goods*)—cont.

Main Question again proposed, 433

Question put, "That the words 'is of opinion that the expenditure incurred for the Afghan War affords no satisfactory reason for the postponement of the promised remission of this duty' stand part of the proposed Amendment;" A. 84, N. 166; M. 82 (D. L. 61)

Amendt. to the said proposed Amendt. to add, after "this House," the words "views with approval the recent reduction in these Duties as an important step towards their total abolition, to which Her Majesty's Government are pledged" (*Mr. Hardcastle*), 434; Question proposed, "That those words be there added;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Meldon*); Question put; A. 62, N. 161; M. 99 (D. L. 62)

Question again proposed, "That those words be there added," 435; Amendt. to proposed Amendt. withdrawn

Amendt. to the said proposed Amendt. to add, after "this House," the words "accepts the recent reduction in these Duties as a step towards their total abolition, to which Her Majesty's Government are pledged" (*Mr. Chancellor of the Exchequer*); Question, "That those words be there added," put, and agreed to

Main Question, as amended, put, and agreed to

Resolved, That the Indian Import Duty on Cotton Goods being unjust alike to the Indian consumer and the English producer ought to be abolished, and this House accepts the recent reduction in these Duties as a step towards their total abolition, to which Her Majesty's Government are pledged

Questions, Sir George Campbell; Answers, Mr. E. Stanhope *April* 24, 983; *May* 1, 1495; *May* 8, 1961

India—Factories (*India*)

Moved, That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to instruct the Viceroy of India to take into immediate consideration the necessity of passing a law for regulating the labour of women and children in the mills and factories throughout Her dominions in India (*The Earl of Shaftesbury*) *April* 4, 349; after short debate, Motion withdrawn

Infants' Life Protection Act, 1872

Cruelty to Children, Question, General Shute; Answer, Mr. Assheton Cross *May* 1, 1494

Dangerous Performances by Children (*Birmingham*), Question, Dr. Kenealy; Answer, Mr. Assheton Cross *April* 4, 366

Inhabited House Duty and Income Tax Bill (*Mr. Hubbard, Mr. Sampson Lloyd*)

c. Read 2°* *April* 23 [Bill 38]

Intoxicating Liquors (Ireland) Bill

(*Mr. Sullivan, Mr. Pease, Mr. Meldon, Mr. Whitworth*)

c. Moved, "That the Petition be read by the Clerk at the Table" *April* 30, 1428; Motion agreed to; Petition read

Moved, "That the said Petition do lie upon the Table" (*Mr. Maurice Brooks*); after short debate, Moved, "That the Debate be now adjourned" (*Mr. Meldon*); after further short debate, Motion withdrawn

Original Question put, and agreed to; Petition laid upon the Table

Moved, "That the Bill be now read 2°" *April* 30, 1434

Amendt. to leave out from "That," and add "considering the recent legislation for the restriction of the hours of trade in public houses in Ireland, it is not expedient to pass any further measures of restriction during the present Session" (*Mr. Maurice Brooks*) *v.*; Question proposed, "That the words, &c.;" after long debate, Debate adjourned

Debate further adjourned *May* 2, 1673

IRELAND

MISCELLANEOUS QUESTIONS

Carrick-on-Suir Bridge, Question, Mr. Delahunty; Answer, Mr. J. Lowther *May* 2, 1589

Criminal Law

Conviction of Peter Brennan, Question, Mr. Parnell; Answer, Mr. J. Lowther *April* 3, 266

Costs of Conveyance of Prisoners (*Limerick*), Question, Mr. O'Sullivan; Answer, Mr. J. Lowther *April* 3, 267

Limerick Grand Jury, Question, Mr. O'Sullivan; Answer, Mr. J. Lowther *April* 4, 365

Endowed Schools Commission, Questions, Mr. Callan; Answer, Mr. J. Lowther *April* 3, 268

Grand Juries — Compensation for Malicious Injuries, Question, Mr. Blennerhassett; Answer, Mr. J. Lowther *April* 1, 132

Grand Jury Laws, Questions, Major Nolan; Answers, Mr. J. Lowther *April* 18, 607; *April* 25, 1097

Intermediate Education (*Ireland*) *Act*, 1878, Question, Mr. Kavanagh; Answer, Mr. J. Lowther *April* 7, 445

Irish Church Temporalities Commissioners—Return of Sales of Land, Question, Mr. Bruen; Answer, Sir Henry Selwin-Ibbetson *April* 29, 1402

Jury Laws—The Jurors Qualification (*Ireland*) *Act*, 1876, Question, Mr. M. Brooks; Answer, Mr. J. Lowther *April* 29, 1400

Kilmainham Gaol (*Dublin*) — *The Medical Officer*, Question, Mr. Sullivan; Answer, Mr. J. Lowther *Mar* 31, 7

Local Government Board, Question, Mr. Mitchell Henry; Answer, The Chancellor of the Exchequer *May* 5, 1708

National School Teachers—Legislation, Question, Mr. Meldon; Answer, Mr. J. Lowther *April* 23, 923

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Peace Preservation Acts—Question, Mr. Blennerhassett; Answer, Mr. J. Lowther *April* 4, 365
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Queen's Plates, Questions, Mr. Sullivan; Answers, Mr. J. Lowther *May* 5, 1710
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Royal Hibernian Military School, Question, Major O'Beirne; Answer, The Attorney General for Ireland *April* 7, 440
Royal Irish Constabulary — Appeals — Case of Sub-Constable Joyce, Questions, Major O'Beirne; Answers, Mr. J. Lowther *April* 25, 1097; *May* 5, 1712
St. Patrick's Day—Disturbances in Londonderry, Question, Mr. O'Donnell; Answer, Mr. J. Lowther *April* 28, 1248
University Education (Ireland), Observations, Mr. O'Donnell, Major Nolan; Reply, Mr. J. Lowther; Observations, Mr. O'Clery *April* 17, 577

Ireland—Irish Land Act, 1870
Amendt. on Committee of Supply *May* 2, To leave out from "That," and add "in view of the importance of a considerable addition to the number of owners of land in Ireland among the class of persons cultivating its soil, it is expedient that legislation should be adopted, without further delay, for increasing the facilities proposed with this object by the Irish Land Act, 1870, and for securing to the tenants of land offered for sale the opportunity of purchase, consistently with the interests of the owners thereof" (*Mr. Shaw Lefevre*) *v.*, 1596; Question proposed, "That the words, &c.;" after long debate, Question put, and negatived
Words added; main Question, as amended, put, and agreed to

Ireland—Jurors' Remuneration
Moved, "That Jurors in Ireland should be remunerated for the cost to which they are frequently put under the present Law" (*Major Nolan*) *May* 6, 1887; after short debate, Motion withdrawn

ISAAC, Mr. S., *Nottingham*
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Parliament—Select Committees (Nomination), Motion for a Committee, 839, 849, 859
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JACKSON, Sir H. M., *Coventry*
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JAMES, Sir H., *Taunton*
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  H.R.H. The Commander-in-Chief and Lord Chelmsford, 837, 1493
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  Natural History Museum, Erection of, Amendt. 648, 651
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Army Discipline and Regulation, Comm. *cl.* 10, 1974, 1977, 1980; *cl.* 19, 2026

JOHNSTONE, Sir H., *Scarborough*
Contagious Diseases Acts—Select Committee, 1715
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Joint Stock Banking Companies—Charters and Letters Patent
Question, Dr. Cameron; Answer, The Chancellor of the Exchequer *April* 7, 439

Joint Stock Banks (Auditing of Accounts) (Scotland) Bill
(*Mr. M'Laren, Sir Alexander Gordon, Sir George Balfour, Mr. Whitwell*)
c. 2R., after short debate, Debate adjourned *April* 2, 241
Bill withdrawn * *April* 23 [Bill 58]

Joint Stock Banks—Limited Liability
Question, Mr. Heygate; Answer, The Chancellor of the Exchequer *April* 4, 367

KAVANAGH, Mr. A. M., *Carlow Co.*
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Artizans' Dwellings Act (1868) Extension, 2R. 1943
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KENEALY, Dr. E. V., *Stoke-upon-Trent*
Africa, South — Sir Bartle Frere — Queen's Letter, 1960
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LAMBERT, Mr. N. G., *Bucks*
Public Health Act — Churchyard of North Crawley, 604

Land Drainage Provisional Order (Bispham, &c.) Bill
(*Sir Matthew Ridley, Mr. Secretary Cross*)
c. Read 2° * *April* 17 [Bill 104]
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Read 3° * *April* 28
l. Read 1ª * (*Lord President*) *April* 29 (No. 65)
Read 2ª * *May* 8

LANSDOWNE, Marquess of
Egypt, Affairs of—Papers, 1481, 1482
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Aberystwyth Magistrates, Question, Sir Wilfrid Lawson; Answer, Mr. Assheton Cross *April* 24, 979

Law of Libel
Select Committee appointed, "to inquire into the Law in relation to Libels in newspapers and journals, and as to the mode of proving the publication of such Libels, and the means of rendering the proprietors and publishers of newspapers and journals responsible civilly and criminally for the Libels contained therein" *April* 25; List of the Committee, 1215

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LEIGHTON, Mr. S., *Shropshire, N.*
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LESLIE, Sir J., *Monaghan*
Ulster Tenant Right, 2R. Amendt. 948, 950

Letterkenny Railway Bill
l. Re-committal, Observations, The Earl of Redesdale, Viscount Lifford *April* 28, 1216; Question, Observations, The Earl of Redesdale; Reply, Viscount Lifford *April* 29, 1355
Moved, "That the Bill be re-committed" (*The Viscount Lifford*) *May* 6, 1785; after short debate, on Question? resolved in the negative

Licensing Act (1872) Amendment Bill
(*Mr. Rodwell, Mr. Serjeant Simon, Mr. Arthur Mills, Mr. Leatham, Mr. Mark Stewart*)
c. Read 2°, after short debate *April* 1, 189 [Bill 108]

Licensing Acts Amendment (Scotland) Bill (*Mr. Mark Stewart, Sir George Douglas, Dr. Cameron, Sir Graham Montgomery*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *April* 7 [Bill 124]
Moved, "That the Bill be now read 2°" *April* 28, 1353; Moved, "That the Debate be now adjourned" (*Mr. Onslow*); Question put; A. 12, N. 43; M. 31 (D. L. 76)
Main Question put, and agreed to; Bill read 2°

Licensing Boards (Scotland) (No. 2) Bill
(*Mr. Fortescue Harrison, Sir George Balfour, Dr. Cameron*)
c. Bill withdrawn* *April* 30 [Bill 82]

Licensing Laws Amendment Bill
(*Mr. Staveley Hill, Mr. Mundella, Mr. Rodwell*)
c. Moved, "That the Bill be now read 2°" *April* 17, 587
Amendt. to leave out "now," and add "upon this day six months" (*Sir Harcourt Johnstone*); Question proposed, "That 'now,' &c.;" Moved, "That the Debate be now adjourned" (*Mr. Ritchie*); Motion agreed to; Debate adjourned

LIFFORD, Viscount
Letterkenny Railway, Re-committal, 1216, 1356, 1785
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LLOYD, Mr. M., *Beaumaris*
Army Discipline and Regulation, Comm. *cl.* 19, 2022, 2029
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Criminal Code (Indictable Offences), Leave, 326; 2R. 1758
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Local Courts of Bankruptcy (Ireland) Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1ª* *April* 1 (No. 40)
Read 2ª* *April* 24
Committee*; Report *April* 25
Read 3ª* *April* 28
c. Read 1°* *May* 1 [Bill 146]

Local Government (Highways) Provisional Orders (Buckingham, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 7 [Bill 161]

Local Government (Ireland) Provisional Order Confirmation (Downpatrick) Bill [H.L] (*The Lord President*)
l. Committee*; Report *April* 21 (No. 21)
Read 3ª* *April* 22
c. Read 1°* (*Mr. James Lowther*) *April* 29 [Bill 140]

Local Government (Ireland) Provisional Orders Confirmation (Cashel, &c.) Bill [H.L] (*The Lord President*)
l. Committee*; Report *April* 21 (No. 22)
Read 3ª* *April* 22
c. Read 1°* (*Mr. James Lowther*) *April* 29 [Bill 141]

Local Government (Ireland) Provisional Orders (Clonmel, &c.) Bill [H.L.]
(*The Viscount Cranbrook*)
l. Presented; read 1ª* *April* 4 (No. 49)
Read 2ª* *April* 29
Committee*; Report *May* 6
Read 3ª* *May* 8

Local Government (Ireland) Provisional Orders (Waterford, &c.) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *April* 23 [Bill 133]
Read 2°* *May* 8

Local Government (Poor Law) Provisional Orders Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 5 [Bill 155]

Local Government Provisional Order (Artizans' and Labourers' Dwellings) Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 7 [Bill 159]

Local Government Provisional Order (Cartworth) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 7 [Bill 158]

Local Government Provisional Orders (Abergavenny Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *April* 28 [Bill 137]
Read 2°* *May* 8

Local Government Provisional Orders (Ashton under Lyne, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *April* 21 [Bill 127]
Read 2°* *April* 30
Committee*; Report *May* 7
Read 3°* *May* 8

Local Government Provisional Orders (Aspull, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 2 [Bill 151]

Local Government Provisional Orders (Axminster Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 5 [Bill 154]

Local Government Provisional Orders (Aysgarth Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *April* 30 [Bill 142]
Read 2°* *May* 8

Local Government Provisional Orders (Castleton by Rochdale, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *May* 7 [Bill 160]

LONDON, Bishop of
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London—Representation of the City—The Livery Companies
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LOWTHER, Right Hon. J. (Chief Secretary for Ireland), *York City*
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- Companies Acts Amendment, 2R. 921, 922; Comm. *cl.* 2, 1568, 1569, 1571
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- Army Discipline and Regulation, Comm. *cl.* 16, 2003, 2004, 2005; *cl.* 19, 2027
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MACCARTHY, Mr. J. G., *Mallow*
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MACARTNEY, Mr. J. W. E., *Tyrone*
- Crime (Ireland)—Riots in Connemara, 438
- Jurors' Remuneration (Ireland), Res. 1890
- Poor Law Union (Ireland)—Commissioners' Report, 6
- Ulster Tenant Right, 2R. 946, 950, 958
- Volunteer Corps (Ireland), 2R. 1930

MACDONALD, Mr. A., *Stafford*
- Army Discipline and Regulation, Comm. 1537
- Boiler Explosions, Res. 1423

MAC IVER, Mr. D., *Birkenhead*
- East India (Duties on Cotton Goods), Res. 402
- France—Commercial Treaty—"Surtaxe d'entrepôt," 1099, 1100
- Merchant Shipping Acts—Loss of the "Gipsy Queen," 1581
- Sugar Industries, Res. 899

MCKENNA, Sir J. N., *Youghal*
- Army Discipline and Regulation, Comm. *cl.* 1, 1541
- Banking and Joint Stock Companies, Leave, 812
- Criminal Code (Indictable Offences), Leave, 347
- Intoxicating Liquors (Ireland), 2R. 1439, 1452
- Joint Stock Banks (Auditing of Accounts) (Scotland), 2R. 244
- Marriages Confirmation (Her Majesty's Ships), 3R. 2052
- Metropolis Lighting, 446
- Municipal Franchise (Ireland), 2R. 960
- Parliament—Business of the House, 1903
  - Privilege—Colonial Agents-General, 1962
- Railway Passenger Duty, 604, 605
- Supply—Civil Service Commission, 720
  - Mint and Coinage, 768, 771
- Volunteer Corps (Ireland), 2R. 1921, 1922

MACKINTOSH, Mr. C. F., *Inverness, &c*
- Supply—Sheriff Court Houses, Scotland, 641

MCLAGAN, Mr. P., *Linlithgowshire*
- Hypothec Abolition (Scotland), Comm. *cl.* 1, 174

MCLAREN, Mr. D., *Edinburgh*
- Hypothec Abolition (Scotland), Comm. 171; *cl.* 1, 174
- Joint Stock Banks (Auditing of Accounts), (Scotland), 2R. 241
- Municipal Corporations (Property Qualification Abolition), 2R. 226
- Public Grants (Scotland)—Poor Law and Public Health Acts, 835
- Scotland—Register House, Edinburgh, 1401
- Sugar Industries, Res. 902
- Supply—Civil Service Commission, 721
  - Local Government Board, &c. 745, 747; Amendt. 753, 761

MAKINS, Lieut.-Colonel W. T., *Essex, S.*
- Banking and Joint Stock Companies, Leave, 809
- Breach of Promise of Marriage, Res. 1886
- Valuation of Property, Comm. *cl.* 8, 1857

Malta — Education Department — Mr. Keenan's Report
- Question, Mr. W. H. James; Answer, Sir Michael Hicks-Beach *April* 3, 265

MANCHESTER, Duke of
- Rivers Conservancy, Comm. 825; *cl.* 5, Amendt. 826, 827; Amendt. 828

MANNERS, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
- Post Office—Miscellaneous Questions
  - Book Post Rates, 6, 515
  - Lowestoft District, 8
  - Mail Contracts—Peninsular and Oriental Steam Navigation Company, 136
  - Post Cards to Foreign Countries, 16
- Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 566, 567

Marriage with a Deceased Wife's Sister Bill [H.L.] (*The Lord Houghton*)
l. Presented; read 1ª * *April* 4 (No. 51)
Moved, "That the Bill be now read 2ª" *May* 6, 1789
Amendt. to leave out ("now,") and add ("this day six months") (*The Lord Bishop of London*); after short debate, on Question, That ("now,") &c.; Cont. 81, Not-Cont. 101; M. 20
Div. List, Cont. and Not-Cont., 1804
Resolved in the negative; and Bill to be read 2ª on this day six months

Marriages Confirmation (Her Majesty's Ships) Bill
(*Mr. Algernon Egerton, Mr. William Henry Smith, Sir Massey Lopes, Mr. Staveley Hill*)
c. Motion for Leave (*Mr. A. F. Egerton*) *May* 1, 1571; Motion agreed to; Bill ordered; read 1º * [Bill 149]
2R. deferred, after short debate *May* 2, 1673
Read 2º, after short debate *May* 5, 1778
Committee *; Report *May* 7
Moved, "That the Bill be now read 3º" *May* 8, 2050
Amendt. to leave out from "be," and add "recommitted" (*Mr. Courtney*) *v.*; Question proposed, "That the words, &c.;" Moved, "That the Debate be now adjourned" (*Sir Charles W. Dilke*); after short debate, Question put; A. 22, N. 47; M. 25 (D. L. 82)
Question again proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Mr. Hopwood*); Question put; A. 19, N. 49; M. 30 (D. L. 83)
Question again proposed, "That the words, &c.;" Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); Question put, and agreed to; Debate adjourned

Marten, Mr. A. G., *Cambridge*
Army Discipline and Regulation, Comm. *cl.* 4, 1548; *cl.* 10, 1978
Artizans' Dwellings Act (1868) Extension, 2R. 1943
Clare County Writ, 1164
Municipal Corporations (Property Qualification Abolition), 2R. 217
Sugar Industries, Res. 909

Martin, Mr. P., *Kilkenny Co.*
Criminal Code (Indictable Offences), Leave, 335

Medical Act, 1858, Amendment Bill [H.L.]
(*The Lord President*)
l. Read 3ª * *Mar* 31 (No. 37)
c. Read 1º * *April* 7 [Bill 121]

Medical Act Amendment Bill—The Medical Council
Question, Mr. W. E. Forster; Answer, Lord George Hamilton *May* 5, 1724

Meldon, Mr. C. H., *Kildare*
Bills of Sale (Ireland), 2R. 959
East India (Duties on Cotton Goods), Res. Motion for Adjournment, 434
Intoxicating Liquors (Ireland), 2R. 1458, 1461, 1473
Intoxicating Liquors (Ireland)—Petitions presented, Motion for Adjournment, 1429, 1430
National School Teachers (Ireland), 923
Registration of Births, &c. (Ireland), 265
Vaccination Acts (Ireland) Amendment, 2R. 508
Voters Registration (Ireland), 2R. 924

Merchant Shipping Acts
Loss of the "Gipsy Queen," Question, Mr. Mac Iver; Answer, Viscount Sandon *May* 2, 1581
The "Calais - Douvres," Question, Captain Price; Answer, Mr. J. G. Talbot *April* 7, 450

Merewether, Mr. C. G., *Northampton*
Army Discipline and Regulation, Comm. *cl.* 10, 1982

Metropolis
London — Representation of the City — The Livery Companies, Question, Mr. W. H. James; Answer, Mr. Assheton Cross *April* 4, 366
Street Lighting—The New Gas Lamps, Question, Sir Joseph M'Kenna; Answer, Mr. Gerard Noel *April* 7, 446
The National Gallery—"Doge of Venice," by Vandyck, Question, Mr. Blennerhassett; Answer, Mr. Gerard Noel *April* 1, 132

Metropolis (Little Coram Street, Bloomsbury, Wells Street, Poplar, and Great Peter Street, Westminster,) Improvement Provisional Orders Confirmation Bill [H.L.] (*The Viscount Cranbrook*)
l. Presented; read 1ª * *April* 4 (No. 50)
Read 2ª * *April* 28
Committee *; Report *May* 6
Read 3ª * *May* 8

Midleton, Viscount
Railways (Ireland), Res. 971

Mills, Mr. A., *Exeter*
Africa, South—Zulu War—Sir Bartle Frere, Res. 65
Victoria—The Constitutional Question, 987, 1959
Victoria and New South Wales—The Tariffs, 366

Monk, Mr. C. J., *Gloucester City*
Blind and Deaf-Mute Children (Education), Comm. 192
Glasgow Municipal Extension, &c.—Special Report, 1728
Greek Frontier—Conference of Ambassadors at Constantinople, 1719, 1816, 1817
Houses of Parliament—Oil Lamps, 701
Prosecution of Offences, Comm. *cl.* 3, 1352

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Monk, Mr. C. J.—*cont.*
- Supply—Exchequer and Audit Department, 727
  - House of Lords Offices, 667, 668
  - Houses of Parliament, 631
  - New Courts of Justice and Offices, 642
- Treaty of Berlin—Protocol 13—Greece and Turkey—Rectification of Frontier, Res. 555
- Turkey—Crete, 1241

Montagu, Right Hon. Lord R., *Westmeath*
- Parliament—Privilege—Clare Writ, 516

Montgomery, Sir G. G., *Peeblesshire*
- Banking and Joint Stock Companies, Leave, 812

Moore, Mr. A. J., *Clonmel*
- Poor Law (Ireland)—Cavan Workhouse, 259

Moray, Colonel D., *Perthshire*
- Army Discipline and Regulation, Comm. *cl.* 5, 1552; *cl.* 12, 1997; *cl.* 16, 2002, 2005

Morgan, Mr. G. Osborne, *Denbighshire*
- Clare County Writ, 1123, 1127

Morley, Earl of
- Poor Law Amendment Act (1876) Amendment, Comm. *cl.* 1, 1577
- Rivers Conservancy, Report, 1487; *cl.* 5, 1490
- Trade—Free Trade and Reciprocity, Res. 1386

Morley, Mr. S., *Bristol*
- Bankruptcy, 450

Morris, Mr. G., *Galway*
- Irish Land Act, 1870, Res. 1634

Mowbray, Right Hon. J. R., *Oxford University*
- Parliament—Select Committees (Nomination), Motion for a Committee, 854

Mundella, Mr. A. J., *Sheffield*
- Army Clothing Factory, Pimlico, 700, 701, 1716
- Criminal Code (Indictable Offences), 2R. 1768
- East India (Duties on Cotton Goods), Res. 428
- Game Laws Amendment (Scotland), 2R. 1672
- Marriages Confirmation (Her Majesty's Ships), 2R. 1779
- Municipal Corporations (Property Qualification Abolition), 2R. 193, 205, 208, 239
- National Expenditure, Res. 1020, 1314, 1315
- Supply—Civil Service Commission, Amendt. 712, 715
  - Houses of Parliament, Amendt. 632, 633

Municipal Corporations (Property Qualification Abolition) Bill

(*Mr. Mundella, Mr. Chamberlain, Mr. Burt, Mr. Sullivan*)

c. Moved, "That the Bill be now read 2°" *April* 2, 193

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Municipal Corporations (*Property Qualification Abolition*) *Bill*—cont.
- After debate, Amendt. to leave out "now," and add "upon this day six months" (*Mr. Wheelhouse*); Question proposed, "That 'now,' &c.;" after long debate, Question put; A. 167, N. 173; M. 6 (D. L. 57)
- Words added; main Question, as amended, put, and agreed to; Bill put off for six months [Bill 9]

Municipal Franchise (Ireland) Bill

(*Major O'Gorman, Sir Joseph M'Kenna, Mr. Richard Power, Mr. Blennerhassett*)

c. 2R., Debate adjourned *April* 23, 960

Muntz, Mr. P. H., *Birmingham*
- East India (Duties on Cotton Goods), Res. 405
- Supply—Mint and Coinage, 767
- Valuation of Property, Comm. *cl.* 6, 1832

Mure, Colonel W., *Renfrew*
- Africa, South—Zulu War—Sir Bartle Frere, Res. 123
- Army Discipline and Regulation, 2R. 481, 482; Comm. 1517; *cl.* 3, 1545; *cl.* 8, 1557, 1558, 1561; *cl.* 10, 1969, 1971, 1978, 1984; *cl.* 11, 1992; *cl.* 16, 2001, 2004; *cl.* 17, 2009; *cl.* 19, 2019, 2022, 2025; *cl.* 21, 2038
- Game Laws (Scotland), 261

Naghten, Colonel A. R., *Winchester*
- Army—Adjutants of Auxiliary Forces, 8

National Expenditure, The
- Amendt. on Committee of Supply *April* 24, To leave out from "That," and add "this House views with regret the great increase in the National Expenditure" (*Mr. Rylands*), *v.*, 987; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Goschen*); Motion agreed to; Debate adjourned
- Question again proposed *April* 28; Debate resumed, 1249; after long debate, Question put; A. 303, N. 230; M. 73
  - Div. List, A. and N., 1344

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Miscellaneous Questions
- *Distinctive Badges of Engine Room Artificers*, Question, Sir David Wedderburn; Answer, Mr. W. H. Smith *May* 2, 1583
- *The Guns of the "Independencia,"* Question, Admiral Egerton; Answer, Mr. W. H. Smith *Mar* 31, 11
- *The Heavy Gun Committee*, Observations, Questions, Lord Sudeley, The Duke of Somerset; Reply, Lord Elphinstone, Viscount Cranbrook *April* 3, 246

Newdegate, Mr. C. N., *Warwickshire, N.*
- Blind and Deaf-Mute Children (Education), Comm. *cl.* 3, 591
- East India (Duties on Cotton Goods), Res. 425
- Municipal Corporations (Property Qualification Abolition), 2R. 228

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NEWDEGATE, Mr. C. N.—*cont.*
Parliament—Orders of the Days, 705
Parliament—Select Committees (Nomination), Motion for a Committee, 847
Prosecution of Offences, Comm. *cl.* 3, Motion for reporting Progress, 1351, 1352, 1721; Consid. 1774
Sugar Industries, Res. 889, 918
Ways and Means—Financial Statement, Comm. 301

New Guinea—Protectorate
Question, Mr. Heygate; Answer, Sir Michael Hicks-Beach *April* 3, 262

NOEL, Right Hon. G. J. (First Commissioner of Works), *Rutland*
East India (Duties on Cotton Goods), Res. 392
Houses of Parliament—Oil Lamps, 702
Metropolis Lighting, 446
Natural Gallery—"Doge of Venice," by Vandyck, 132
Supply—County Court Buildings, 637
Diplomatic and Consular Buildings, 662, 665, 666
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NOLAN, Major J. P., *Galway Co.*
Army Discipline and Regulation, 2R. 488; Comm. 1533; *cl.* 1, 1537, 1538, 1540, 1541; *cl.* 4, 1548; Amendt. 1550; *cl.* 6, Amendt. 1553, 1554, 1555; *cl.* 8, 1561; *cl.* 10, 1968, 1974, 1980; *cl.* 11, 1989; Amendt. 1995; *cl.* 12, 1997; *cl.* 15, 1999; Amendt. 2000; *cl.* 16, 2002; *cl.* 19, Amendt. 2013, 2022, 2026; Amendt. 2028, 2032; *cl.* 26, Amendt. 2044, 2046
Clare County Writ—New Writ, 1187
Criminal Code (Indictable Offences), Leave, 340
Dogs Regulation (Ireland) Act (1865) Amendment, Leave, 817, 818, 985; 2R. 2050
Grand Jury Laws (Ireland), 607, 1097
Irish Land Act, 1870, Res. 1632
Irish University Education, 581
Jurors' Remuneration (Ireland), Res. 1887, 1892, 1895
Municipal Corporations (Property Qualification Abolition), 2R. 239
Parliament—Business of the House, 1898, 1900
Religious Outrages (Ireland), 270
Supply—Edinburgh University Buildings, 652, 653, 655
House of Commons Offices, 669
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NOLAN, Major J. P.—*cont.*
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Vaccination Acts (Ireland) Amendment, 2R. 513
Volunteer Corps (Ireland), 2R. 1929
Voters Registration (Ireland), 2R. 945

NORTH, Colonel J. S., *Oxfordshire*
Army Discipline and Regulation, Comm. *cl.* 10, 1976

NORTHBROOK, Earl of
Factories (India), Motion for an Address, 363

NORTHCOTE, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

NORTON, Lord
Poor Law Amendment Act (1876) Amendment, 2R. 962; Comm. *cl.* 1, 1577

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Sugar Industries, Res. 909

Noxious Gases Bill
(*Mr. Sclater-Booth, Viscount Sandon, Sir Henry Selwin-Ibbetson, Mr. Salt*)
c. Ordered; read 1° * *April* 7 [Bill 123]

O'BEIRNE, Major F., *Leitrim*
Army—Brigade Depôts—The Establishment, 13
Army Discipline and Regulation, 2R. 484; Comm. 1528, 1529, 1530; *cl.* 4, 1549; *cl.* 8, Motion for reporting Progress, 1558; *cl.* 11, 1989, 1994; *cl.* 16, 2002, 2006; *cl.* 19, 2023, *cl.* 26, Motion for reporting Progress, 2046; *cl.* 28, Amendt. 2048
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O'BRIEN, Sir P., *King's Co.*
Volunteer Corps (Ireland), 2R. 1927

O'CLERY, Mr. K., *Wexford Co.*
Inland Revenue—Collection of Legacy Duties, 448
Irish University Education, 584
Supply—House of Commons Offices, 672
Volunteer Corps (Ireland), 2R. 1903, 1935

O'CONOR DON, The, *Roscommon Co.*
Intoxicating Liquors (Ireland), 2R. 1465
University Education (Ireland), 1895, 1897

O'DONNELL, Mr. F. H., *Dungarvan*
Africa, South—Galeka and Gaika Wars—Prisoners of War, 1965
Africa, South—Zulu War—Sir Bartle Frere, Res. 89
Army Discipline and Regulation, Comm. *cl.* 8, 1558, 1561
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O'Donnell, Mr. F. H.—*cont.*
  India (Finance, &c.)—Silver—The Exchange, 1959
  Ireland—St. Patrick's Day—Disturbances in Londonderry, 1248
  Irish University Education, 577, 584
  Parliament—Orders of the Day, 275, 705
  Supply—Civil Service Commission, 709, 721, 726
    Exchequer and Audit Department, 728
    Friendly Societies Registry, 740
    Local Government Board, &c. 765
    Report, 816

O'Gorman, Major P., *Waterford*
  Parliament—Order—Alteration of Questions on Notice Paper, 1434
  Russia—State Prosecutions, Personal Explanation, Motion for Adjournment, 1587

O'Leary, Dr. W. H., *Drogheda*
  Intoxicating Liquors (Ireland), 2R. 1470, 1473, 1474

Omnibus Regulation Bill [H.L.]
(*The Earl of Redesdale*)
l. Presented; read 1ª* *April* 1 (No. 41)
  Read 2ª *May* 5, 1705

Onslow, Mr. D. R., *Guildford*
  Africa, South—Zulu War—Lord Chelmsford, 274
  East India (Duties on Cotton Goods), Res. 413
  India—Afghanistan—The War—Advance on Cabul, 12
  Licensing Acts Amendment (Scotland), 2R. Motion for Adjournment, 1354
  Ways and Means—Financial Statement, Comm. 303

Ordnance Select Committee
  Question, Captain Price; Answer, Lord Eustace Cecil *April* 22, 837

O'Shaughnessy, Mr. R., *Limerick*
  Parliament—Business of the House, 1901
  Volunteer Corps (Ireland), 2R. 1908

O'Sullivan, Mr. W. H., *Limerick Co.*
  Criminal Law (Ireland)—Prisoners, 267
  Intoxicating Liquors (Ireland), 2R. 1468
  Jurors' Remuneration (Ireland), Res. 1891
  Law and Justice (Ireland)—Limerick Grand Jury, 365
  Prisons Act—Expenses of Prisoners, 17

Otway, Mr. A. J., *Rochester*
  Treaty of Berlin — Eastern Roumelia—The French Commissioners, 273, 443

Oyster and Mussel Fisheries Order (Blackwater, Essex) Bill
(*The Lord Henniker*)
l. Committee*; Report *Mar* 31 (No. 29)
  Read 3ª * *April* 1

Paget, Mr. R. H., *Somersetshire, Mid*
  Valuation of Property, Comm. *cl.* 6, 1838; *cl.* 10, Amendt. 1859, 1864, 1866

Parker, Mr. C. S., *Perth*
  Supply—Charity Commission, 707
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  Private Bill Legislation, Orders in relation to Petitions *April* 4, 348
  The Easter Recess, Observation, The Earl of Beaconsfield *Mar* 31, 1

Commons—
Public Business
  Questions, Mr. Knatchbull-Hugessen, Mr. Serjeant Simon, Mr. Whitwell, Mr. E. Jenkins, Sir Julian Goldsmid; Answers, Mr. Sclater-Booth, The Attorney General, The Chancellor of the Exchequer, Mr. J. R. Yorke *Mar* 31, 18; Questions, Mr. W. E. Forster, Sir Walter B. Barttelot; Answer, The Chancellor of the Exchequer *May* 2, 1595
  East India Loan Bill, Question, Mr. Goschen; Answer, Mr. E. Stanhope *April* 3, 270
  Arrangement of Business after Easter, Question, Mr. Dillwyn; Answer, Sir Henry Selwin-Ibbetson *April* 4, 368
  Order of Business, Question, Mr. Goschen; Answer, The Chancellor of the Exchequer *April* 17, 519; Questions, Mr. Puleston, Mr. A. Mills; Answers, Mr. W. H. Smith, The Chancellor of the Exchequer *May* 5, 1720
  Business of the House, Observations, Lord Edmond Fitzmaurice *May* 7, 1898; Observations, The Chancellor of the Exchequer *May* 8, 1967

  Easter Recess, The, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *April* 3, 270; Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *April* 4, 369
    House, at rising, to adjourn till Thursday, April 17, *April* 7

Privilege
  Colonial Agents-General, Question, Sir Joseph M'Kenna; Answer, The Chancellor of the Exchequer *May* 8, 1962

Rules and Orders
  Alteration of Questions on Notice Paper, Observations, Sir Robert Peel, Mr. Speaker *April* 30, 1430; Questions, Sir Wilfrid Lawson; Answers, The Chancellor of the Exchequer *May* 1, 1502
  Rule as to Decided Questions, Observations, Question, Mr. J. R. Yorke; Reply, Mr. Speaker *May* 1, 1501

  Customs and Practice of the House—"Making a House," Observations, Question, Sir Julian Goldsmid; Reply, Mr. Speaker *May* 1, 1499

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Parliament—Commons—*cont.*

Private Bills

Orders in relation thereto *April* 7, 437

The Vacant Seats, Question, Mr. Pemberton; Answer, The Chancellor of the Exchequer *April* 7, 444; Questions, Mr. Rylands, Mr. Hibbert; Answer, The Chancellor of the Exchequer *May* 8, 1964

The Houses of Parliament—Oil Lamps, Question, Mr. Monk; Answer, Mr. Gerard Noel *April* 21, 701

Sittings of the House

Resolved, That whenever the House shall meet at Two of the clock, the sitting of the House shall be held subject to the Resolutions of the House of the 30th day of April 1869 (*Sir Henry Selwin-Ibbetson*) *May* 1

Morning Sittings, Question, Mr. Hibbert; Answer, Mr. Sclater-Booth *May* 1, 1505

Parliament—Clare County Writ

Report of Select Committee *April* 3, 258: Report to be considered upon Monday next, and to be printed [No. 130]

Observations, Mr. Assheton Cross *April* 7, 437; Observations, Question, Lord Robert Montagu; Reply, Mr. Speaker *April* 17, 516

Report from Select Committee on the Clare County Writ considered *April* 25, 1104

Moved, "That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf" (*Mr. Secretary Cross*)

Amendt. to leave out from "That," and add "considering it is undesirable to decide by Resolution a doubtful question of grave importance involving the status of Members of this House, it is expedient that a Bill should be brought in to settle the Law relating to the disqualifications caused by accepting Colonial offices" (*Sir Julian Goldsmid*), *v*; Question proposed, "That the words, &c.;" after long debate, Question put; A. 180, N. 11; M. 169

Div. List, A. and N., 1185

Main Question put

1. Resolved, That the office of Attorney General of the Colony of Victoria is an office or place of profit under the Crown within the meaning of the Statutes in that behalf
2. Resolved, That Sir Bryan O'Loghlen has since his Election for the County of Clare accepted the said office, and has thereby vacated his seat

Moved, "That a new Writ be ordered to be issued for the election of a Member for the County of Clare in the room of Sir Bryan O'Loghlen, who since his election for that County has accepted the office of Attorney General for the Colony of Victoria" (*Major Nolan*); Motion agreed to

Parliament—New Writ for Cockermouth

Moved, "That the Clerk of the Crown do make out a new Writ for the Borough of Cockermouth" (*Mr. Adam*) *April* 7, 454; Question, Colonel Arbuthnot; Answer, Mr. Adam; Motion agreed to

Parliament—Select Committees on Public Bills, &c. (*Nomination*)

Moved, "That a Committee be appointed, to consist of Seven Members, to be called the Committee of Nomination for Select Committees on Public Bills and other matters:

"That such Committee shall, unless otherwise ordered by the House, nominate Members to serve on all Select Committees to which Public Bills, or other matters may be referred" (*Mr. Isaac*) *April* 22, 839; after debate, Question put, and negatived

Parliament—House of Lords

Sat First

May 5—The Lord Dinevor, after the death of his Father

Parliament—House of Commons

New Writs Issued

April 7—*For* Cockermouth, *v.* Isaac Fletcher, esquire, deceased

April 17—*For* Cumberland County (Eastern Division), *v.* the Hon. Charles Wentworth George Howard, deceased

April 25—*For* Clare County, *v.* Sir Bryan O'Loghlen, Attorney General of the Colony of Victoria

May 1—*For* Canterbury, *v.* Lewis Ashurst Majendie, esquire, Chiltern Hundreds

New Members Sworn

April 7—Justin M'Carthy, esquire, *Longford County*

April 25—George James Howard, esquire, *Cumberland* (Eastern Division)

April 28—William Fletcher, esquire, *Cockermouth*

Parliamentary Burghs (Scotland) Bill

(*Mr. James Cowan, Mr. M'Laren, Mr. Trevelyan, Mr. John Holms*)

c. Committee *—R.P. *April* 30 [Bill 97]

Committee *—R.P. *May* 1

Parnell, Mr. C. S., *Meath*

Criminal Code (Indictable Offences), Leave, 336

Criminal Law (Ireland)—Conviction of Peter Brennan, 266

Public Health (Ireland)—Conveyance of Fever and Small-pox Patients, 267

Pease, Mr. J. W., *Durham, S.*

Valuation of Property, Comm. *cl.* 7, 1845; *cl.* 8, 1853; *cl.* 9, 1858

Peel, Right Hon. Sir R., *Tamworth*

Africa, South — Zulu War — Intombi River, Disaster on, 703, 704

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Parliament—Order—Alteration of Questions on Notice Paper, 1430, 1432, 1433, 1434

Russia—State Prosecutions, Personal Explanation, 1584, 1586

PELL, Mr. A., *Leicestershire, S.*
Charity Commission, Res. Amendt. 1212
National Expenditure, Res. 1300, 1302, 1315
Valuation of Property, Comm. 816; *cl.* 6, 1833, 1840; *cl.* 8, Amendt. 1847, 1855, 1857

PEMBERTON, Mr. E. L., *Kent, E.*
Parliament—Vacant Seats, Appropriation of, 444

PERCY, Right Hon. Earl, *Northumberland, N.*
Army—Officers of the Coast Brigade (Royal Artillery), 981

PERKINS, Sir F., *Southampton*
France—Passports, 437

Peru and Chili—See title *America, South*

Petty Customs (Scotland) Abolition Act Amendment Bill
(*The Earl of Airlie*)
l. Read 2ª* *May* 1 (No. 33)
Committee*; Report *May* 2
Read 3ª* *May* 5

Pier and Harbour Orders Confirmation (No. 1) Bill
(*Mr. John G. Talbot, Mr. Sclater-Booth*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1º* *April* 3 [Bill 118]
Read 2º* *April* 25
Ordered, That the Pier and Harbour Orders Confirmation (No. 1) Bill and the Pier and Harbour Orders Confirmation (No. 2) Bill be committed to the same Committee
Instruction to the Committee, That they have power to consolidate the two Bills into one Bill (*Mr. John G. Talbot*) *May* 5
Committee*; Report [Bills consolidated into one Bill] *May* 5
Considered* *May* 6 [Bill 153]
Read 3º* *May* 7
l. Read 1ª* (*Lord Henniker*) *May* 8 (No. 73)

Pier and Harbour Orders Confirmation (No. 2) Bill
(*Mr. John G. Talbot, Viscount Sandon*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1º* *April* 17 [Bill 125]
Read 2º* *April* 25
[Consolidated with *Pier and Harbour Orders Confirmation* (*No.* 1) *Bill.*]

PLAYFAIR, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
Banking and Joint Stock Companies, Leave, 810
East India (Duties on Cotton Goods), Res. 431
Post Office—Book-Post Rates, 6, 7, 515
Supply—Civil Service Commission, 718

PLUNKET, Hon. D. R., *Dublin University*
Irish Land Act, 1870, Res. 1619
Ulster Tenant Right, 2R. 953
Voters Registration (Ireland), 2R. 934

PLUNKETT, Hon. R. E., *Gloucester, W.*
Volunteer Corps (Ireland), 2R. 1928, 1929
Wellington College, Motion for an Address, 143

Police Superannuation
Question, Mr. James Stewart; Answer, Mr. Assheton Cross *April* 7, 449

Poor Law
Catholic Paupers in Walsall Workhouse, Questions, Mr. Sullivan; Answer, Mr. Sclater-Booth *May* 5, 1710
Religious Education of Children in Unions, Question, Sir Matthew Wilson; Answer, Mr. Sclater-Booth *May* 1, 1496
Separation of Old Married Paupers, Question, Sir George Campbell; Answer, Mr. Sclater-Booth *April* 28, 1249

Poor Law Amendment Act (1876) Amendment Bill (*The Lord Norton*)
l. Read 2ª, after short debate *April* 24, 962
Committee; Report *May* 2, 1576 (No. 34)
Read 3ª* *May* 6

Poor Law (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1º* *April* 7 [Bill 122]

POST OFFICE
MISCELLANEOUS QUESTIONS
Book-Post Rates—Transmission of Circulars, Questions, Mr. Lyon Playfair; Answers, Lord John Manners *Mar* 31, 6; *April* 17, 515
Post Cards to Foreign Countries, Question, Mr. Seely; Answer, Lord John Manners *Mar* 31, 16
Post Office Mail Contracts—Peninsular and Oriental Steam Navigation Company, Question, Mr. Goschen; Answer, Lord John Manners *April* 1, 136
The Lowestoft District, Question, Lord Rendlesham; Answer, Lord John Manners *Mar* 31, 8

POTTER, Mr. T. B., *Rochdale*
Ceylon—Food Taxes, 260
Cyprus, Island of—Import Duties on Grain, 1957

POWER, Mr. J. O'Connor, *Mayo*
Africa, South—Zulu War—Sir Bartle Frere, Res. 69
Army Discipline and Regulation, Comm. *cl.* 2, 1544; *cl.* 4, 1548; *cl.* 5, 1552
Irish Land Act, 1870, Res. 1660

POWERSCOURT, Viscount
Sunday (Opening of Museums, &c.), Res. 1693

Price, Captain G. E., *Devonport*
- Egypt — Cabinet — Dismissal of Mr. Rivers Wilson and M. De Blignières—Action of the Controllers, 1709
- Merchant Shipping Act — "Calais-Douvres," The, 450
- Ordnance Select Committee, 837

Prisons (*England*) *Act*, 1877
- *Brecon Gaol*, Question, Mr. Dillwyn; Answer, Mr. Assheton Cross *April* 7, 453
- *Expenses of Prisoners*, Question, Mr. O'Sullivan; Answer, Mr. Assheton Cross *Mar* 31, 17 [See title *Criminal Law*]

Prosecution of Offences Bill
(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley*)
- *c.* Committee *April* 24, 1086 [House counted out]
- Committee—R.P. *April* 28, 1351 [Bill 68]
- Committee; Report *May* 1, 1562
- Observations, Question, Mr. Newdegate; Answer, Mr. Assheton Cross; Observations, Mr. Chamberlain, The Chancellor of the Exchequer *May* 5, 1721
- Considered *May* 5, 1773 [Bill 147]
- Read 3° * *May* 6
- *l.* Read 1ª * (*Lord Chancellor*) *May* 8 (No. 74)

Public Health Act (1875) Amendment Bill (*Mr. Alexander Brown, Mr. Whitwell, Mr. Ryder*)
- *c.* Committee *—R.P. *April* 7 [Bill 33]

Public Health Act (1875) Amendment (Interments) Bill
(*Mr. Marten, Mr. Greene, Mr. Cole*)
- *c.* Read 2° * *May* 6 [Bill 61]

Public Health Acts
- *Case of Emily Hulbert*, Question, Sir William Fraser; Answer, Lord George Hamilton *April* 28, 1240
- *The Churchyard of North Crawley*, Question, Mr. Lambert; Answer, Mr. Assheton Cross *April* 18, 604

Public Health Acts, 1875 *and* 1878—*Incidence of Rating*
- Amendt. on Committee of Supply *April* 18, To leave out from "That," and add "a Select Committee be appointed to inquire into the incidence of rating for water supply and sewerage, and report what amendments, if any, it is advisable to make" (*Mr. Alexander Brown*) *v.*, 608; Question proposed, "That the words, &c.; after short debate, Question put, and agreed to

Public Health (Ireland) Act (1878) Amendment Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
- *c.* Ordered; read 1° * *April* 21 [Bill 128]

Public Health (Scotland) Act (1867) Amendment Bill (*Dr. Cameron, Sir Wyndham Anstruther, Mr. M'Laren, Mr. Vans Agnew, Mr. Mackintosh*)
- *c.* Read 2° * *April* 2 [Bill 107]
- Committee *; Report *April* 30
- Considered * *May* 2
- Read 3° * *May* 6

Public Health (Scotland) Provisional Order (Bothwell) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
- *c.* Ordered * *May* 1
- Read 1° * *May* 2 [Bill 152]

Public Health (Scotland) Provisional Order (Castle Douglas) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
- *c.* Ordered * *April* 2
- Read 1° * *April* 4 [Bill 120]
- Read 2° * *April* 21
- Committee *; Report *April* 30
- Read 3° * *May* 1
- *l.* Read 1ª * (*The Lord Steward*) *May* 2 (No. 68)

Racecourses (Metropolis) Bill
(*Mr. Anderson, Sir Thomas Chambers, Sir James Lawrence*)
- *c.* Read 3° * *April* 1 [Bill 48]
- *l.* Read 1ª * (*Viscount Enfield*) *April* 3 (No. 45)

Raikes, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
- Army Discipline and Regulation, Comm. 1537; *cl.* 1, *ib.*, 1543; *cl.* 3, 1545; *cl.* 4, 1547, 1550; *cl.* 10, 1986; *cl.* 19, 2030
- Blackburn and Over Darwen Tramways, 2R. 1806
- Parliament—Select Committees (Nomination), Motion for a Committee, 856
- Prosecution of Offences, Comm. *cl.* 3, 1092
- Supply—Local Government Board, &c. 747
  - Patent Law Amendment Act, &c. 785, 787
- Tring Poor's Land, 2R. 598, 599
- Valuation of Property, Comm. *cl.* 9, 1858; *cl.* 10, 1865

Railway Passenger Duty
- Question, Sir Joseph M'Kenna; Answer, The Chancellor of the Exchequer *April* 18, 604

Railways and Telegraphs in India Bill [H.L.] (*The Viscount Cranbrook*)
- *l.* Presented; read 1ª * *April* 28 (No. 63)
- Read 2ª * *May* 5
- Committee *; Report *May* 8

Railways and Tramways
- Resolution, Mr. Delahunty *April* 29, 1426 [House counted out]

Railways — Court of Railway Commissioners
Question, Lord Claud Hamilton; Answer, Viscount Sandon *April* 29, 1403

Railways (Ireland)
Moved to resolve, That in the opinion of this House it is desirable that facilities should be given for the construction of railways in Ireland on a gauge narrower than five feet three inches in mountainous or thinly populated districts where the construction of railways on the standard gauge would be difficult or unremunerative (*The Viscount Lifford*) *April* 24, 966
Previous Question moved (*The Earl of Redesdale*); after short debate, Motion and original Motion withdrawn
Moved, That in the opinion of this House the construction of railways in Ireland on a gauge narrower than five feet three inches, where the construction of railways on the standard gauge would be difficult or unremunerative, is desirable; on Question? resolved in the affirmative

Ralli, Mr. P., *Bridport*
Egypt—Taxation, 11

Ramsay, Mr. J., *Falkirk, &c.*
Banking and Joint Stock Companies, Leave, 813
Hypothec Abolition (Scotland), Comm. 171; *cl.* 1, 173, 176; *cl.* 2, 182
Prosecution of Offences, Comm. *cl.* 2, Amendt. 1087, 1088
Supply—Civil Service Commission, 717
County Court Buildings, 637
Lighthouses Abroad, 661
Local Government Board, &c. 748, 752, 757
Metropolitan Police Court Buildings, 638
Privy Council for Trade, &c. Committee, 694
Public Buildings, 636
Sheriff Court Houses, Scotland, 639, 642
Valuation of Property, Comm. *cl.* 6, Amendt. 1818, 1825, 1837, 1842, 1843

Rathbone, Mr. W., *Liverpool*
Banking and Joint Stock Companies, Leave, 804
Municipal Corporations (Property Qualification Abolition), 2R. 233
National Expenditure, Res. 1297, 1302
Prosecution of Offences, Comm. *cl.* 3, Amendt. 1092, 1093, 1094

Read, Mr. Clare S., *Norfolk, S.*
Hypothec Abolition (Scotland), Comm. *cl.* 1, 175; *cl.* 2, 185
Valuation of Property, Comm. 1353; *cl.* 6, 1827, 1843; *cl.* 7, 1845; *cl.* 8, 1853

Redesdale, Earl of (Chairman of Committees)
Letterkenny Railway, Re-committal, 1216, 1355, 1787
Omnibus Regulation, 2R. 1705

[*cont.*

Redesdale, Earl of—*cont.*
Poor Law Amendment Act (1876) Amendment, 2R. 965
Railways (Ireland), Res., Previous Question moved, 969, 973, 975, 976, 977
Rivers Conservancy, Comm. Amendt. 821, 825; Report, *cl.* 5, Amendt. 1488
West Donegal Railway, Res. 1580

Registrars General (Ireland and Scotland)—The Reports
Question, General Sir George Balfour; Answer, Mr. Sclater-Booth *May* 5, 1717

Registration of Births, Deaths, and Marriages (Army) Bill
(*The Lord Ashford*)
l. Read 2ª* *April* 4 (No. 27)
Committee*; Report *April* 22
Read 3ª* *April* 24

Registration of Births, &c. (Ireland) Bill
Question, Mr. Meldon; Answer, Mr. J. Lowther *April* 3, 265

Relief of Insane Poor Bill (*Mr. Rodwell, Sir Baldwin Leighton, Mr. Bristowe*)
c. Read 2º, and committed to a Select Committee, after short debate *April* 1, 185 [Bill 27]

Rendlesham, Lord, *Suffolk, E.*
Post Office—Lowestoft District, 8

Richard, Mr. H., *Merthyr Tydvil*
Africa, South—Zulu War, 1960
Cetewayo, Submission of, 451
Sir Bartle Frere's Instructions, 1715
India—Burmah, Rumoured Ultimatum, 133
National Expenditure, Res. 1040

Richmond and Gordon, Duke of (Lord President of the Council)
Contagious Diseases Animals Act, 1878—Transit of Animals Order, Motion for a Paper, 1219
Railways (Ireland), Res. 972
Rivers Conservancy, Comm. 823; *cl.* 5, 826, 827, 829; *cl.* 6, 830; *cl.* 26, *ib.*; Report, 1484; *cl.* 5, 1489; Amendt. 1491

Ridley, Sir M. W. (Under Secretary of State for the Home Department), *Northumberland, N.*
Artizans' Dwellings Act (1868) Extension, 2R. 1942

Ripon, Marquess of
Poor Law Amendment Act (1876) Amendment, Comm. *cl.* 1, 1579
Rivers Conservancy, Comm. 824; *cl.* 5, Amendt. 826, 827; *cl.* 6, 830; Report, 1486; *cl.* 5, 1490
Sunday (Opening of Museums, &c.), Res. 1694

Ritchie, Mr. C. T., *Tower Hamlets*
  Customs Re-organization Scheme, 264, 573
  Marriages Confirmation (Her Majesty's Ships), 3R. 2053
  National Expenditure, Res. 1051
  Sugar Industries, Res. 860, 907, 911; Nomination of Select Committee, 2056
  Ways and Means—Financial Statement, Comm. 309, 1746

Rivers Conservancy Bill [H.L.]
(*The Lord President*)
l. Moved, "That the House do now resolve itself into Committee" *April* 22, 821
  Amendt. to leave out after ("That,") and insert "If A having ten years ago purchased a property in the uplands of a river conservancy district in the valuation of which the liability to a charge for a conservancy rate could not have been included, and B having in the same year purchased a property in the flood lands of the same district in the valuation of which the damage from floods must have been necessarily estimated, it will be unreasonable and unjust that A's property should be taxed for the improvement of B's property, when his lands cannot receive any benefit from the outlay to which under the Rivers Conservancy Bill he is to be compelled to contribute" (*The Earl of Redesdale*); after short debate, Amendt. withdrawn
  Original Motion agreed to; Committee (No. 20)
  Moved, "That the Report be now received" *May* 1, 1483
  Amendt. to leave out from "That," and add ("1. The conservancy of rivers and watercourses and the prevention and mitigation of floods are duties properly incumbent upon owners of lands;
  "2. Conservancy boards ought to consist of owners of lands only, by which class also all rates for the above purposes ought to be defrayed") (*The Earl of Camperdown*); after short debate, on Question, That the words, &c.? Cont. 57, Not-Cont. 36; M. 21
    List of Cont. and Not-Cont., 1488
  Resolved in the affirmative; original Motion agreed to; Report (No. 59)
  Read 3ª* *May* 5 (No. 67)

Rodwell, Mr. B. B. H., *Cambridgeshire*
  Breach of Promise of Marriage, Res. 1880
  Licensing Act (1872) Amendment, 2R. 189
  Relief of Insane Poor, 2R. 185, 189

Royal Parks and Pleasure Grounds
  Observations, Mr. Dillwyn *April* 17, 570

Russell, Sir C., *Westminster*
  Peru and Chili—Hostilities—The Chilian Fleet, 607

Russia
  State Prosecutions, Question, Personal Explanation, Sir Robert Peel; Answer, The Chancellor of the Exchequer; Observations, Major O'Gorman *May* 2, 1584
  The Plague—Quarantine, Question, Mr. Gourley; Answer, Lord George Hamilton *Mar* 31, 17

Rutland, Duke of
  Trade—Free Trade and Reciprocity, Res. 1378

Rylands, Mr. P., *Burnley*
  Customs Re-organization, 575
  National Expenditure, Res. 987
  Parliament—Vacant Seats, 1964
  Submarine Telegraph Companies, 515
  Supply—Civil Service Commission, 716
    Diplomatic and Consular Buildings, 662
    House of Commons Offices, 671
    Mint and Coinage, 768, 773
    Patent Law Amendment, &c. 789
    Privy Council for Trade and Subordinate Departments, 688, 692
    Treasury, 677, 679, 680
  Valuation of Property, Comm. *cl.* 7, 1846; *cl.* 8, 1856; *cl.* 9, 1858; *cl.* 10, 1866

Sale of Food and Drugs Act (1875) Amendment Bill
(*Mr. Anderson, Mr. P. A. Taylor, Mr. Whitwell*)
c. Report of Select Comm* *April* 29 [No. 155]

Salisbury, Marquess of (Secretary of State for Foreign Affairs)
  Egypt, Affairs of—Papers, 1481
  England and Servia—Treaty of Commerce, 3
  Rivers Conservancy, Report, *cl.* 5, 1490
  Treaty of Berlin—Turkey and Greece—Negotiations, 255, 256
    Performance, 1675, 1682

Salmon Fisheries Act, 1873
  Question, Mr. Blake; Answer, Mr. Assheton Cross *April* 3, 268

Salmon Fishery Law Amendment Bill
(*Mr. Joseph Cowen, Mr. Edward Ridley, Sir Arthur Middleton, Mr. Hamond*)
c. Ordered; read 1°* *May* 7 [Bill 162]

Salt, Mr. T., *Stafford*
  Municipal Corporations (Property Qualification Abolition), 2R. 234
  Relief of Insane Poor, 2R. 187
  Valuation of Property, Comm. *cl.* 6, 1833, 1839; *cl.* 7, 1844, 1845, 1846; *cl.* 8, 1854; *cl.* 9, 1857, 1859; *cl.* 10, 1864

Samuda, Mr. J. D'A., *Tower Hamlets*
  Sugar Industries, Res. 878, 919
  Valuation of Property, Comm. *cl.* 8, 1854

Samuelson, Mr. B., *Banbury*
  Army Discipline and Regulation, Comm. *cl.* 8, 1559

Samuelson, Mr. H. B., *Frome*
  Turkey—Murder of Mr. Ogle, 17, 18

SANDON, Right Hon. Viscount (President of the Board of Trade), *Liverpool*
Africa, South—Zulu War—Sir Bartle Frere, Res. 40
Merchant Shipping Acts—"Gipsy Queen," Loss of, 1582
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Weights and Measures Act, 1878 — The "Bushel" Measure, 1497

SANDWICH, Earl of
Rivers Conservancy, Comm. 822

Science and Art—The National Gallery—"Doge of Venice," by Vandyck
Question, Mr. Blennerhassett; Answer, Mr. Gerard Noel *April* 1, 132

SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
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Public Grants—Poor Law and Public Health Acts, Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer *April* 22, 835
Register House, Edinburgh, Question, Mr. M'Laren; Answer, Mr. Assheton Cross *April* 29, 1401
Registrars General Reports, Question, General Sir George Balfour; Answer, Mr. Sclater-Booth *May* 5, 1717

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SELWIN-IBBETSON, Sir H. J. (Secretary to the Treasury), *Essex, W.*
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Army Discipline and Regulation, 2R. 493, 500, 1504; Comm. 1514, 1517, 1535; *cl.* 1, 1538, 1540; *cl.* 2, 1544; *cl.* 3, 1546, 1547; *cl.* 4, 1548, 1551; *cl.* 5, 1552; *cl.* 6, *ib.*; Amendt. 1553, 1554, 1555, 1556; *cl.* 8, 1557, 1560; *cl.* 10, 1968, 1974, 1976, 1979, 1986; *cl.* 11, 1988, 1995, 1996; *cl.* 12, *ib.*, 1997; *cl.* 15, 1998; *cl.* 16, 2000, 2002, 2004; Amendt. 2006; *cl.* 17, 2008; *cl.* 19, 2013, 2029, 2030, 2032; *cl.* 20, *ib.*; *cl.* 21, 2034, 2036, 2038, 2039, 2040; *cl.* 22, 2041; *cl.* 24, 2042; *cl.* 25, 2044; *cl.* 26, 2045, 2046; *cl.* 27, 2047; *cl.* 28, 2048; *cl.* 29, *ib.*
Army Discipline and Regulation—Clauses 48 and 178, 449
Army Discipline and Regulation—Military Courts of Inquiry, 1962

STANSFELD, Right Hon. J., *Halifax*
Municipal Corporations (Property Qualification Abolition), 2R. 236
Valuation of Property, Comm. *cl.* 6, 1843; *cl.* 7, 1846

STANTON, Mr. A. J., *Stroud*
Weights and Measures—The "Bushel" Measure, 1497

State of the Country—The Durham Strike
Questions, Mr. Burt; Answers, Mr. Assheton Cross *April* 25, 1099; *May* 2, 1592

Statute Law Revision (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Ordered; read 1° * *April* 23 [Bill 132]
Read 2° * *May* 7
Committee*; Report *May* 8

STEWART, Mr. J., *Greenock*
Education Department—New Code, 16

STEWART, Mr. M. J., *Wigton Bo.*
Hypothec Abolition (Scotland), Comm. *cl.* 1, 173; Amendt. 175
Licensing Act Amendment (Scotland), 2R. 1354
Licensing Act (1872) Amendment, 2R. 191
Police Superannuation, 449
Relief of Insane Poor, 2R. 188

STORER, Mr. G., *Nottinghamshire, S.*
Valuation of Property, Comm. *cl.* 8, 1857

Submarine Telegraph Companies
Question, Mr. Rylands; Answer, Sir Henry Selwin-Ibbetson *April* 17, 515

SUDELEY, Lord
Navy—Heavy Gun Committee, 246

Sugar Industries
Moved, "That a Select Committee be appointed to consider the injurious effect upon the Home and Colonial Sugar industries of the system prevailing in various countries of giving bounties on the export of Sugar, and to report whether, in their opinion, any remedial measures can be devised by Parliament" (*Mr. Ritchie*) *April* 22, 860
After debate, Amendt. to leave out from "to," in line 1, and add "inquire into the effects produced upon the Home and Colonial Sugar industries of this Country by the systems of taxation, drawbacks, and bounties on the exportation of Sugar now in force in various Foreign Countries; and to report what steps, if any, it is desirable to take in order to obtain redress for any evils that may be found to exist" (*Mr. Secretary Cross*) *v.*, 902; Question proposed, "That the words, &c.;" after further debate, Question put, and negatived
Question proposed, "That the words 'inquire, &c.' be added, instead thereof," 916
Amendt. to the said proposed Amendt. to insert, after "if any," the words "other than the imposition of compensatory duties" (*Mr. William Edward Forster*); Question proposed, "That those words be there inserted;" after short debate, Question put; A. 43, N. 70; M. 27 (D. L. 71)
After short debate, Question, "That the words 'inquire, &c.' put, and agreed to
Main Question, as amended, put, and agreed to
Nomination of Select Committee *May* 8, 2055; after short debate, Nomination postponed
Committee nominated *May* 20; List of the Committee, 920

SULLIVAN, Mr. A. M., *Louth Co.*
Africa, South—Zulu War—Sir Bartle Frere's Instructions, 1715
Blackburn and Over Darwen Tramways, 2R. 1813
Clare County Writ, 1171
Intoxicating Liquors (Ireland), 2R. 1434, 1439

[*cont.*

SULLIVAN, Mr. A. M.—*cont.*
- Intoxicating Liquors (Ireland), Petitions presented, 1428, 1429, 1430
- Ireland — Kilmainham Gaol, Dublin — The Medical Officer, 7
- Poor Law—Catholic Paupers in Walsall Workhouse, 1710, 1711
- Queen's Plates (Ireland), 1710

Summary Jurisdiction Bill
(*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley*)
c. Report of Select Comm.* *April* 29 [No. 154]
Committee (*on re-comm.*)—R.P. *May* 8, 2048

Sunday (*Opening of Museums, &c.*)
Moved to resolve, That this House having observed the excellent results that have followed upon the opening of museums, &c. on Sunday afternoons in Dublin, Birmingham, Manchester, Middlesborough, Hampton Court, Kew, &c., is of opinion that it is highly desirable that the prayer of the petition of the Council of the National Sunday League, presented to this House on the 27th of March last, praying "for the opening of the British Museum, the South Kensington and Bethnal Green Museums, and the National Gallery to the people on Sunday afternoons," should be granted, even if only in part and as a tentative measure, in order to provide the working classes of London with an alternative to the public-house on the many inclement Sunday afternoons when places of out-of-doors recreation, such as the public parks, are of no avail for the purposes of health and relaxation (*The Lord Thurlow*) *May* 5, 1683; after debate, on Question? Cont. 59, Not-Cont. 67; M. 8
Div. List, Cont. and Not-Cont., 1704
Resolved in the negative

SUPPLY
- Considered in Committee *April* 17, 586—CIVIL SERVICE ESTIMATES — CLASS I. — PUBLIC WORKS AND BUILDINGS—Committee—R.P.
- Considered in Committee *April* 18, 617—CIVIL SERVICE ESTIMATES — CLASS I. — PUBLIC WORKS AND BUILDINGS—CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS
  - Resolutions reported *April* 21, 816
  - Resolutions 1 to 16, inclusive, agreed to
  - Resolution 17; after short debate, agreed to
  - Resolutions 18 to 24, inclusive, agreed to
  - Resolution 25; after short debate, agreed to
  - Remaining Resolutions agreed to
- Considered in Committee *April* 21, 707—CIVIL SERVICE ESTIMATES — CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS—Committee—R.P.
  - Resolutions reported *April* 22, 922
  - Resolutions 1 to 8, inclusive, agreed to
  - Resolution 9; after short debate, agreed to
  - Remaining Resolution agreed to

Supreme Court of Judicature Acts Amendment Bill (*The Lord Chancellor*)
l. Read 3ª *Mar* 31, 3 (No. 11)
c. Read 1°* (*Mr. Attorney General*) *April* 25 [Bill 134]

SYNAN, Mr. E. J., *Limerick Co.*
- Africa, South—Zulu War—Sir Bartle Frere, Res. 63
- Clare County Writ, 1158
- Irish Land Act, 1870, Res. 1626
- Ulster Tenant Right, 2R. 954

TALBOT, Mr. J. G. (Secretary to the Board of Trade), *Oxford University*
- Companies Acts Amendment, 2R. 921
- Corn Averages—Act 28 Vict. c. 87, 983
- Merchant Shipping Act—"Calais-Douvres," The, 450
- Supply—Harbours, &c. under the Board of Trade, 655, 658, 660
  - Lighthouses Abroad, 661
  - Privy Council for Trade and Subordinate Departments, 688, 690, 691, 693
  - Report, 816

TAYLOR, Mr. D., *Coleraine*
- Blackburn and Over Darwen Tramways, 2R. 1815

TAYLOR, Mr. P. A., *Leicester Bo.*
- Game Laws Amendment (Scotland), 2R. 1672; Comm. 1775
- India—Corporal Punishment in Mysore, 455
  - Criminal Law (India) — Use of Torture, 1399, 1400
- Vaccination Acts (Ireland) Amendment, 2R. 508, 510
- Valuation of Property, Comm. 1671

TEMPLETOWN, Viscount
- Africa, South — Telegraphic Communication with the Cape, 253

Thames River (*Prevention of Floods*) *Bill* (1877)
c. Minutes of the Evidence and the Proceedings taken before the Committee on the Thames River (Prevention of Floods) Bill, in Session 1877, referred to the Committee on the Thames River (Prevention of Floods) Bill (*Sir Charles Forster*) *April* 25

THORNHILL, Mr. T., *Suffolk, W.*
- Sugar Industries, Res. 905

THURLOW, Lord
- Sunday (Opening of Museums, &c.), Res. 1683

TORRENS, Mr. W. T. M., *Finsbury*
- Artizans' Dwellings Act (1868) Extension, 2R. 1936

Tramways (Ireland) Acts Amendment Bill (*Mr. Collins, Mr. Shaw, Mr. Bruen, Mr. Cogan, Mr. Gray*)
c. Ordered; read 1°* *May* 7 [Bill 163]

Tremayne, Mr. J., *Cornwall, E.*
Contagious Diseases Acts—Select Committee, 1716

Tring Poor's Land Bill [*Lords*] (*by Order*)
c. Moved, "That the Bill be now read 2°" (*Mr. Halsey*) *April* 18, 592
Amendt. to leave out from "That," and add "it is inexpedient to sanction the sale of the Tring Poor's Allotment until a local and public inquiry has been held as to the expediency of the sale, and the possibility of exchanging the allotment for other land more suitably adapted for purposes of recreation and for garden allotments for the labouring poor, as contemplated by the 19th section of 'The Commons Act, 1876'" (*Mr. Shaw Lefevre*) *v.*; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°

Truro, Lord
Africa, South—Zulu War—Re-inforcements, 1945
Army—Range-finders, 977, 1216, 1217

Trustees Acts Consolidation and Amendment Bill (*Mr. Osborne Morgan, Mr. Gregory, Mr. Alfred Marten, Sir Henry Jackson*)
c. Read 2°* *April* 23 [Bill 106]
Committee*; Report *May* 6
Considered* *May* 7

Trustees' Liability Bill
(*Sir George Bowyer, Sir Eardley Wilmot, Mr. Serjeant Simon*)
c. Ordered; read 1°* *May* 6 [Bill 157]

Trustees Relief Bill
(*Mr. Wheelhouse, Sir George Bowyer, Sir Eardley Wilmot, Mr. Isaac*)
c. Ordered; read 1°* *April* 30 [Bill 145]

Turkey—Treaty of Berlin
Eastern Roumelia
Question, Mr. Otway; Answer, The Chancellor of the Exchequer *April* 7, 443; Question, Lord Elcho; Answer, Mr. Bourke *April* 7, 453; Question, Mr. Chamberlain; Answer, Mr. Bourke *April* 28, 1240
Joint Occupation, Question, Mr. Chamberlain; Answer, The Chancellor of the Exchequer *April* 3, 259; Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *April* 17, 524
The French Commissioners, Question, Mr. Otway; Answer, Mr. Bourke *April* 3, 273
Eastern Roumelia and Occupation of the Balkan Passes by Turkey, Question, Mr. C. Beckett-Denison; Answer, The Chancellor of the Exchequer *April* 28, 1247
Performance, Question, Observations, Earl Granville; Reply, The Marquess of Salisbury *May* 5, 1674

Turkey—Treaty of Berlin—Protocol 13 —*Turkey and Greece—Rectification of Frontier*
Amendt. on Committee of Supply *April* 17, To leave out from "That," and add "in the opinion of this House, tranquillity in the East demands that satisfaction be given to the just claims of Greece, and no satisfaction can be considered adequate that does not ensure execution of the recommendations embodied in Protocol 13 of the Berlin Congress" (*Mr. W. Cartwright*) *v.*, 525; Question proposed, "That the words, &c.;" after long debate, Question put; A, 63, N. 47; M. 16 (D. L. 64)
Turkey and Greece—The Negotiations, Observations, Question, The Marquess of Lansdowne; Reply, The Marquess of Salisbury; short debate thereon *April* 3, 254
The Greek Frontier, Question, Sir John Kennaway; Answer, The Chancellor of the Exchequer *April* 21, 700;—*Conference of Ambassadors at Constantinople*, Question, Mr. Monk; Answer, Mr. Bourke *May* 5, 1719; Questions, Mr. Monk, Lord Edmond Fitzmaurice; Answers, Mr. Bourke *May* 6, 1816

Turkey
Miscellaneous Questions
Anglo-Turkish Convention, The
The Convention of Defensive Alliance—The Island of Cyprus, Question, Mr. Dodson; Answer, Mr. Bourke *April* 3, 263
Asia Minor—Consular Appointments, Questions, Mr. J. Holms, Mr. Childers, Mr. Dodson; Answers, Mr. Bourke, The Chancellor of the Exchequer *May* 5, 1713

Chefket Pasha, Question, Sir George Campbell; Answer, Mr. Bourke *April* 3, 271
Crete, Question, Mr. Monk; Answer, Mr. Bourke *April* 28, 1241
Murder of Mr. Ogle, Questions, Mr. H. Samuelson; Answer, The Chancellor of the Exchequer *Mar* 31, 17
Russian Authorities in Eastern Roumelia, Questions, Mr. Hanbury; Answer, Mr. Bourke *May* 5, 1709
[See title *Turkey—Treaty of Berlin*]

Turnpike Acts Continuance Act, 1878
Select Committee appointed, "to inquire into the Seventh Schedule of the Annual Turnpike Acts Continuance Act, 1878;" List of the Committee *April* 25, 1214

Ulster Tenant Right Bill [Bill 37]
(*Mr. Macartney, Mr. Charles Lewis, Mr. William Wilson*)
c. Moved, "That the Bill be now read 2°" *April* 23, 946
Amendt. to leave out "now," and add "upon this day six months" (*Sir John Leslie*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 131, N. 146; M. 15 (D. L. 72)
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

United Kingdom Electric Telegraph Company
Question, Mr. Fortescue Harrison; Answer, The Chancellor of the Exchequer *April* 25, 1098

United States of America, Trade with the
Moved for, Statement of the trade of the United Kingdom with the United States of America for the years 1873, 1874, 1875, 1876, 1877, and 1878, in continuation of the annual statement of trade for the year 1877, as presented to Parliament in June 1878 (*The Lord Cottesloe*) *April* 1, 128; after short debate, Motion agreed to; Return ordered

University Education (Ireland)
Observations, The O'Conor Don; Reply, The Chancellor of the Exchequer; Observations, The Marquess of Hartington *May* 6, 1895

Vaccination Acts (Ireland) Amendment Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2°" *April* 7, 502
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Hopwood*); Question proposed, "That 'now,' &c.;" after short debate, Question put, and agreed to
Main Question put, and agreed to; Bill read 2°
Committee *; Report *April* 25 [Bill 90]

Valuation of Lands and Assessments (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1° * *April* 30 [Bill 144]

Valuation of Lands (Scotland) Amendment Bill (*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Graham Montgomery*)
c. Read 2° * *April* 2 [Bill 16]
Committee *—R.P. *April* 21
Committee *; Report *April* 25

Valuation of Property Bill
(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt*)
c. Order for Committee read *April* 21, 816; after short debate, Committee deferred
Order for Committee read *April* 28, 1353; after short debate, Committee deferred
Order for Committee read; Moved, "That this House will, upon Tuesday next, at Two of the clock, resolve itself into the said Committee" *May* 2, 1668
Amendt. to leave out "at Two of the clock" (*Mr. Dillwyn*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
Original Question put, and agreed to; Committee deferred till Tuesday next, at Two of the clock
Committee—R.P. *May* 6, 1818 [Bill 71]

Victoria—The Constitutional Question
Questions, Mr. A. Mills; Answers, Sir Michael Hicks-Beach *April* 24, 987; *May* 8, 1959

Victoria and New South Wales — The Tariffs
Question, Mr. A. Mills; Answer, Sir Michael Hicks-Beach *April* 4, 366

VIVIAN, Lord
Africa, South — Zulu War—Telegrams from the Seat of War, 821

Vivisection
Question, Mr. Anderson; Answer, Mr. Assheton Cross *May* 1, 1498

Volunteer Corps (Ireland) Bill
(*Mr. O'Clery, Major Nolan, Lord Francis Conyngham, Major O'Beirne*)
c. Read 2°, after long debate *May* 7, 1903 [Bill 5]

Voters Registration (Ireland) Bill
(*Mr. Meldon, Mr. Butt, Mr. Mitchell Henry*)
c. Read 2°, after short debate *April* 23, 924 [Bill 29]

WADDY, Mr. S. D., *Barnstaple*
Criminal Code (Indictable Offences), Leave, 325
Financial Accounts—Income and Expenditure, 1879, 266
Ways and Means—Financial Statement, Comm. 297

WALES, H.R.H. the Prince of
Marriage with a Deceased Wife's Sister, 2R. 1789

WALTER, Mr. J., *Berkshire*
Valuation of Property, Comm. *cl.* 8, 1852
Wellington College, Motion for an Address, 160

WARD, Dr. M. F., *Galway*
Africa, South — Army Medical Department, 1963

Waste Lands Reclamation (Ireland) Bill
(*Mr. Collins, Mr. MacCarthy, Mr. Downing, Major Nolan*)
c. Bill withdrawn * *April* 25 [Bill 8]

WATERLOW, Sir S. H., *Maidstone*
Artizans' Dwellings Act (1868) Extension, 2R. 1941
Banking and Joint Stock Companies, Leave, 811

WAVENEY, Lord
Army—Militia, Motion for a Select Committee, 1235
Letterkenny Railway, Motion for Re-committal, 1786
Railways (Ireland), Res. 970

WAYS AND MEANS
Miscellaneous Questions
Act 28 *Vict. c.* 87—*Corn Averages*, Question, Colonel Ruggles Brise; Answer, Mr. J. G. Talbot *April* 24, 982
Customs and Inland Revenue Act, 1878—*Dog Licences*, Question, Sir David Wedderburn; Answer, The Chancellor of the Exchequer *April* 3, 262; Question, Mr. Dodson; Answer, The Chancellor of the Exchequer *April* 21, 698
Financial Accounts—Income and Expenditure, 1879, Question, Mr. Waddy; Answer, The Chancellor of the Exchequer *April* 3, 266

Inland Revenue
Collection of Legacy Duties, Question, Mr. O'Clery; Answer, The Attorney General *April* 7, 448
Income Tax—Brighton—Schedule D, Question, Mr. Ashbury; Answer, The Chancellor of the Exchequer *April* 3, 269;—*Schedule B—Farmers' Returns*, Question, Colonel Barne; Answer, The Attorney General *May* 1, 1497
Inhabited House Duty—Mechanics' Institutes, Question, Mr. Stanley Leighton; Answer, The Chancellor of the Exchequer *May* 2, 1583
Tea Duty, Questions, Mr. Childers; Answer, The Chancellor of the Exchequer *April* 3, 261
The Ecclesiastical Commissioners, Question, Mr. Foljambe; Answer, The Chancellor of the Exchequer *April* 28, 1245
The Revenue—Decrease in Customs and Excise, Question, Sir William Harcourt; Answer, The Chancellor of the Exchequer *April* 24, 985

The Resolutions, Question, Mr. Goschen; Answer, The Chancellor of the Exchequer *April* 4, 368

WAYS AND MEANS
Considered in Committee *April* 3, 275—The Financial Statement of the Chancellor of the Exchequer on moving the first Resolution,
"That, towards raising the Supply granted to Her Majesty, the Duties of Customs now charged on Tea shall continue to be levied and charged on and after the first day of August, one thousand eight hundred and seventy-nine, until the first day of August, one thousand eight hundred and eighty, on importation into Great Britain or Ireland (that is to say): on

s. d.
Tea . . . . . the lb. 0 6"

After debate, Resolution agreed to
(2.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 4th day of April 1879, on Cocoa or Chocolate, ground, prepared, or in any way manufactured, imported into the United Kingdom of Great Britain and Ireland, in lieu of the Duties now payable on Paste or Chocolate (that is to say):

Ways and Means—*cont.*
Cocoa or Chocolate, ground, prepared, or in any way manufactured . the lb. £ 0 s. 0 d. 2
Resolution agreed to
(3.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the 4th day of April, 1879, on Tobacco Manufactured, viz. Segars imported into the United Kingdom of Great Britain and Ireland, in lieu of the Duties now payable thereon (that is to say):
Tobacco Manufactured, viz.:—
£ s. d.
Segars . . . the lb. 0 5 6
After short debate, Resolution agreed to
Resolutions reported *April* 4
Considered in Committee *April* 28, 1348
Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, one thousand eight hundred and seventy-nine, in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act of the sixteenth and seventeenth years of Her Majesty's reign, chapter thirty-four, the following Duties of Income Tax (that is to say):
For every Twenty Shillings of the annual value or amount of Property, Profits, and Gains chargeable under Schedules (A), (C), (D), or (E) of the said Act, the Duty of Five Pence;
And for every Twenty Shillings of the annual value of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act,—
In England, the Duty of Two Pence Halfpenny;
In Scotland and Ireland respectively, the Duty of One Penny Three Farthings;
Subject to the provisions contained in section one hundred and sixty-three of the Act of the fifth and sixth years of Her Majesty's reign, chapter thirty-five, for the exemption of persons whose income is less than One Hundred and Fifty Pounds, and in section eight of 'The Customs and Inland Revenue Act, 1876,' for the relief of persons whose income is less than Four Hundred Pounds"
Moved to report Progress (*Mr. Gladstone*); after short debate, Motion withdrawn
Main Question put, and agreed to
Resolutions reported *May* 1
Considered in Committee *May* 5
Resolved, That it is expedient to amend the Laws relating to the Customs and the Inland Revenue
Resolution reported *May* 6

Wedderburn, Sir D., *Haddington Burghs*
Army Discipline and Regulation, Comm. 1535
Ballot Act—Continuance, 449
Customs and Inland Revenue Act, 1878—Dog Licences, 262

WEDDERBURN, Sir D.—*cont.*
- East India (Duties on Cotton Goods), Res. Motion for Adjournment, 432, 433
- Hypothec Abolition (Scotland), Comm. *cl.* 1, 178
- Navy — Distinctive Badges of Engine-Room Artificers, 1583

Weights and Measures Act, 1878—*The "Bushel" Measure*
- Question, Mr. Stanton; Answer, Viscount Sandon *May* 1, 1497

Wellington College
- Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the origin, objects, and present administration of Wellington College; and to report to Her Majesty whether such administration is or is not in accordance with the conditions, or implied conditions, under which contributions were solicited and obtained from the army and the public when the College was founded; and, if not, to advise Her Majesty what alterations in the present system are required, and by what means they can be best effected" (*Mr. Reginald Yorke*) *April* 1, 136; after long debate, Question put; A. 60, N. 67; M. 7 (D. L. 55)

West Donegal Railway Bill
- Moved, "That the House of Lords having affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible" (*Viscount Lifford*) *May* 2, 1580; after short debate, Motion amended, and agreed to
- Ordered, That the House of Lords having by resolution of the 24th of April last affirmed the principle that it is expedient to sanction railways upon a narrow gauge in Ireland under certain circumstances, the Board of Trade do report upon the West Donegal Railway Bill with as little delay as possible, having regard to that resolution (*The Viscount Lifford*)

West India Relief Commission [*Loans, &c.*]
- Considered in Committee *May* 8
- Resolved, That it is expedient to authorise the determination of the West India Relief Commission, the transfer of its powers to the Public Works Loan Commissioners, and the remission of certain sums remaining unpaid in respect of Loans by the said Commission; also the payment, out of moneys to be provided by Parliament, of any sums at present in the hands of the West India Relief Commissioners which may hereafter be claimed by the persons entitled thereto; Resolution reported

WHEELHOUSE, Mr. W. St. James, *Leeds*
- Blind and Deaf-Mute Children (Education), Comm. *cl.* 3, 590, 591
- Licensing Act (1872) Amendment, 2R. 191
- Municipal Corporations (Property Qualification Abolition), 2R. Amendt. 205, 206

WHITBREAD, Mr. S., *Bedford*
- Parliament—Select Committees (Nomination), Motion for a Committee, 858

WHITWELL, Mr. J., *Kendal*
- Africa, South—Zulu War—Expenditure, 1590
- Army Discipline and Regulation, Comm. 1536; *cl.* 24, 2043
- Criminal Code (Indictable Offences), Leave, 334
- Dogs Regulation (Ireland) Act (1865) Amendment, Leave, 818
- Marriages Confirmation (Her Majesty's Ships), 3R. 2053
- Parliament—Public Business, 19
- Prosecution of Offences, Comm. *cl.* 3, 1091, 1563
- Public Health Act, 1875 and 1878—Incidence of Rating, Motion for a Select Committee, 615
- Relief of Insane Poor, 2R. 188
- Supply—Harbours, &c. under the Board of Trade, 659
  - Local Government Board, &c. 742, 749
  - Lord Privy Seal, Office of, 687
  - Metropolitan Police Court Buildings, 637
  - Mint and Coinage, 766, 767, 770
  - National Debt Office, 783
  - Natural History Museum, Erection of, 650, 651, 652
  - New Courts of Justice and Offices, 643
  - Parks and Pleasure Gardens, 630, 631
  - Privy Council for Trade and Subordinate Departments, 691
  - Public Buildings, 635, 636
  - Revenue Department Buildings, Great Britain, 637
  - Royal Palaces, 622
  - Science and Art Department Buildings, 648
  - Treasury, 679
- Valuation of Property, Comm. *cl.* 7, 1844
- Ways and Means—Financial Statement, Comm. 307, 309

WHITWORTH, Mr. B., *Kilkenny*
- Intoxicating Liquors (Ireland), 2R. 1476

WILLIAMS, Mr. W., *Denbigh, &c.*
- Criminal Code (Indictable Offences), 2R. 1765

WILMOT, Sir J. E., *Warwickshire, S.*
- Breach of Promise of Marriage, Res. Amendt. 1875
- Clare County Writ, 1161
- Criminal Law—John Perryman, Case of, 605

WILSON, Sir M., *York, W.R., N. Div.*
- Education—Religious Education of Children in Unions, 1496

WILSON, Mr. W., *Donegal*
Ulster Tenant Right, 2R. 952

Wine Duties
Select Committee appointed, "to inquire into the system under which Customs Duties are now levied in this Country on Wine, and into its bearings on the fiscal and commercial interests of the Country" *April* 3; List of the Committee, 348

YEAMAN, Mr. J., *Dundee*
City of Glasgow Bank, 131

YORKE, Mr. J. R., *Gloucestershire, E.*
Parliament—Public Business, 20
  Rule as to Decided Questions, 1501
School Boards, 605
Wellington College, Motion for an Address, 136, 151, 153, 167

ERRATUM.

Page 413, line 9 from bottom, *for* Birmingham (Mr. Muntz) *read* Manchester (Mr. Jacob Bright).

END OF VOLUME CCXLV., AND THIRD VOLUME OF SESSION 1879.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.